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JOURNAL OF
LOCAL ADMINISTRATION OVERSEAS

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Editor's Notes

LOCAL government featured in three recent annual conferences[1] of public servants in West, Central and East Africa. In Western Nigeria Chief Adeyemo, the Commissioner for Local Government, spoke of local government as the very foundation and corner-stone of self-government, and of the need for a nation to manage its own affairs at the local level before being able to achieve national self-government. Recognition of this is apparent in the Gambia,[2] where the local government system is being modernized to keep pace with constitutional progress. Two years ago there were 35 chiefs in the Protectorate controlling minute treasuries. Since then, the policy has been to combine the separate chiefdom treasuries into a series of elected area councils. Two such area councils are in operation and more are planned until the whole country is covered. The chiefs will still act as presidents of local courts which will deal with law and order as well as land tenure and customary matters.

A second conference of public servants took place in Southern Rhodesia, when the Government outlined changes in the administration. In the main, these followed the recommendations of the Patterson Commission of Enquiry, a part of the report of which appears in this issue. In the re-shuffle of existing responsibilities, a new Ministry of Local Government and Internal Affairs is absorbing the former Ministry of Native Affairs. It will have two divisions, one of which will handle district administration.

A third conference was held in Tanganyika, where Mr. Job Lusinde, the Minister for Local Government and Administration, commended the urban local authorities for pioneering the local government system in his country. His reference to the part which the Local Government Service Commission can play in helping to implement training programmes was also reflected in a recommendation of the Cambridge Conference on Training for Development[3] that overall control of training should be in the hands of one authority to ensure that it is given the highest possible priority and that there is co-ordination to prevent duplication of effort. The experience of Eastern Nigeria, recorded in

[1] The seventh annual conference of the Western Nigeria Union of Local Authorities (20th September), the annual meeting of the Southern Rhodesian Public Servants' Association (30th August) and the seventh annual conference of the Association of Local Authorities in Tanganyika (8th August).

[2] Governor's speech to the first session of the House of Representatives.

[3] Meeting at King's College, Cambridge, from the 26th August to the 8th September, 1962.

the first article in this issue, indicates that after alternating tendencies towards local autonomy and central control in staff matters as in others, the Ministry of Local Government now faces the task not only of organizing and arranging training courses but also of financing them.

There is widespread interest in Africa in the pioneering part played by the Institute of Administration in Northern Nigeria in training local personnel to fill posts in the Civil Service, and a great desire to know why these steps were taken and how far they might be applicable in other environments. The contributions about the Institute in this issue have been written by two people who have had close links with its growth from a training centre for clerks and local government officers in 1954 to an internationally recognized Institute, which recently sent delegates to a conference in Vienna organized by the International Institute of Administrative Sciences.

The varied and changing pattern of administrative problems in Africa illustrated by these articles is paralleled by contributions from Burma and Brazil, two countries which feature in these pages for the first time. They describe in general terms the way that decentralization should promote national development.

Recent Developments in Local Government in Eastern Nigeria

by S. W. C. HOLLAND[1]

How recent is recent? I am going to take the 1st April 1958 as the real starting point for this article because on that date a fundamental change took place in the local government organization in Eastern Nigeria. But first of all some background is necessary to put that date in its proper context.

The background

Local government councils first began to replace native authorities in Eastern Nigeria in 1950 and they were established under the Eastern Region Local Government Ordinance 1950 over the next five years. This was at a time when a new virile nationalism was getting into its stride and the keynote of that Ordinance was a change of management – the elimination of control by the administration which had been a feature of the former native authority system and the vesting of power in virtually autonomous councils. District officers had no right of entry into councils except to look at records after giving notice in writing; they could advise if invited to do so and many were on many occasions. But the councils were not obliged to seek advice or to accept it if they did seek it. Thus there was no local agent of government with authority to guide, advise and if necessary exert control over councils. In fact the only controls of any significance, which were exerted from the centre by the then regional authority, concerned the approval of estimates and the appointment of staff on salaries of £400 per annum and over. These were important controls right enough, but they had little or no effect on the day to day administration which affects the life of the people and in which the work of local government is laid bare for public scrutiny. The audit surcharge, although provided for in the Ordinance, was not developed as an effective control until some years later. The new councils were, therefore, largely left to their own devices and the sharp contrast with what they had been used to was too much for stability.

The new wine of autonomy is heady stuff and within the five year period during which the Ordinance was in force, over-indulgence led to a number of public inquiries which revealed irregularities and corruption of a high order. There was then no alternative but to recognize that this new organization, admirable though it may have been in theory, was unworkable so early in the development of the Region's political institutions and this recognition found expression in the Eastern Region Local Government Law 1955. This Law gave the Minister of Local Government effective control of councils in all the important spheres of their activities. It gave him power to appoint district officers as local government commissioners with authority to attend meetings, give advice, check the books and accounts and generally to keep him informed about what was going on. It was not a heavy-handed control. It was a policy of prevention rather than cure, of avoiding mistakes before they were com-

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mitted, of encouraging a sense of responsibility within certain well defined rules of the game. But it was control nonetheless.

That Law was heavily amended in succeeding years, mainly as a corrective to the exploitation of loopholes and ambiguities where none were suspected, and in 1960 a new Eastern Nigeria Local Government Law consolidated the previous legislation and broadened or clarified a number of controls. For a period of seven years therefore the reaction against the pause of the freedom permitted by the original Ordinance has continued and hardened, and it is only very recently that a slight counter-reaction has been detectable in a limited relaxation of control over certain council functions. Compared with the control exercised these relaxations appear meagre and insignificant and their effect is likely to be thoroughly tested before more are granted. But more of this later. We must now return to the 1st April 1958.

The structural changes since 1958

On that date the 1955 Law was in force. Previously local government councils had been established on the 3-tier system of county, district and local councils, following the English model, each type of council being responsible for a certain range of functions prescribed by Instrument which did not encroach on those of a council of different type. Thus county councils were responsible for roads and bridges, education services, native courts and other matters more conveniently planned and administered on a county basis, whereas district councils concentrated mainly on medical and health services. Local councils (roughly equivalent to parish councils) had, and still have, very limited functions connected chiefly with communal projects.

On 1st April 1958, this structure was altered. The top storey was removed by the abolition of the county councils (there were 17 of them) and their functions were assumed by the district councils which became all-purpose authorities. Overnight, so to speak, a new 2-tier organization was introduced, the local councils remaining as before. What was the reason for this sudden change? In the first place there were two practical reasons. Considerable animosity had developed between county and district councils, focused on the county precept which in many cases was over-zealously applied and caused considerable difficulties for the district councils who were the rating authorities. Secondly, many people felt strongly that county councils were too remote from the people, who were not accustomed to such long-range administration, and were therefore becoming less and less representative. I feel also that the idea of local government as being primarily concerned with the administration of services in the optimum area for their administration rather than with the general administration of a traditional area was an alien concept which had not taken root. District councils for the most part were traditional areas identifiable from native authority days and before. County councils for the most part were not. They were artificial areas created to fit a theory which had had no previous practical application. They were seed sown on stony ground which flourished for a time but then died out because there was nothing to sustain them. That I believe was the underlying reason for the change even though it was expressed in terms of administrative problems and emotional clannishness. The effect of the change was to alter fundamentally the concept of local government from that of an organization based on the functions of different types of councils to that of an organization based on the territorial extent of councils all having the same functions. What started as the English model was

adapted to local needs and became something far different. In other words, Eastern Nigeria had begun to develop its own form of local government.

There were two dangers inherent in this new form – one which began to show itself very quickly, one which developed as time went on. The first concerned those district councils, and there were many of them, which could barely manage to keep going with only medical and health services to look after and were now required to shoulder the burden of the full range of local government services. The effect was, and is, to make them largely ineffective as units of local government. They struggle along from year to year under the chronic handicap of inadequate resources which is to be seen in the neglected roads and buildings, understocked dispensaries and delays in paying wages. There is no future for these councils. Their only hope lies in voluntary amalgamation with their neighbours or with one another to achieve more viable units. The second danger lay in the fact of traditional groupings within the district council areas themselves. For a variety of reasons, almost entirely unconnected with the needs of local government, many of these groups or clans embarked upon a crusade of secession. This movement was given a strong stimulus by the attainment of independence by the Federation of Nigeria in October 1960. A number of these demands for separate status were approved and there was a steady growth in the number of district councils (they were redesignated county councils in the 1960 Law). Many of them fall in the same category as those mentioned earlier in this paragraph. The process once started was not easy to stop but had it been allowed to continue unchecked it would in time have ruined the local government organization. The aim of policy is to produce a stable and efficient system of local government and it is vital to the interests of government that this aim should be vigorously pursued. But efficiency and stability go hand in hand and the process of fragmentation leads to neither. The Government had, therefore, to call a halt and in two successive speeches from the Throne has proclaimed that no more county councils will be established save in the most exceptional circumstances. The needs of the Region are adequately served by 107 county councils.

Can any lesson be learned from this? If it can it is this. If the local government organization is to be envisaged as an efficient and effective system of administration giving value for money in terms of public services, then that organization must consist of viable components and a stable framework within which the creative potentialities inherent in the whole concept of local government are given the opportunity to develop. A unit of local government has no meaning outside what it can achieve for the welfare, comfort and convenience of the people in its area. And whether achievement is a pious hope or a practical possibility depends upon the viability of the unit. To attain that viability it is often necessary to jettison the idea of traditional areas (an idea which can be thoroughly reactionary in terms of modern administration) and to weld together those which are incapable of going it alone effectively. This would then determine the size of councils and their boundaries which should remain stable for as long as possible. They should be laid down and adhered to so that the real work of local government can gather momentum. This is not so say that future adjustments will not be necessary. Local government is a living and growing organism and reacts to and is reacted upon by the expanding economy of the country. But the controlling factor of change must be the attainment of similar or a stronger viability and the change itself should not be contemplated until it has become an administrative necessity.

Composition of county councils

The above paragraphs show briefly the lines along which the present political organization of local government has developed. There are two points of detail affecting the composition of all county councils which are also worth mentioning in this connexion:

(*a*) Single member wards were established for all councils, both county and local in 1958. They were defined by divisional officers after local consultation and the instruments of all councils were amended to reflect this changed composition. At about this time also the federal and regional constituencies were being delimited and preparations made for the compilation of a new register of electors for federal and regional elections. The basis of that registration was to be the lowest unit in the local government organization – the local council ward – and it was therefore decided that the old local government register of electors should be abolished and that local government elections also should henceforth be conducted with this new 'federal register'. The voting qualifications are therefore the same for federal, regional and local government elections in Eastern Nigeria.

One untidy feature of local government elections has been the haphazard election dates which arise from the dates of establishment of councils. For example a divisional officer may have four county councils in his division, two having elections in one year and two in another, and all at different times of the year. The local councils within a county council might also have elections at a different time from the county elections. Election dates are shortly to be rationalized by legislation in order that they may all fall within the February-March period, so that the election of chairmen and committees will always take place in April at the annual meeting.

(*b*) In Eastern Nigeria there are first and second class chiefs created for the purposes of the Eastern House of Chiefs under the provisions of Section 31B of the Nigeria (Constitution) Orders in Councils, 1954-1959. First class chiefs are appointed or recognized by the Government, while second class chiefs are selected by their clanspeople under the Selection of Second Class Chiefs Regulations, 1959. The first and second class chiefs (they are called clan-heads) in a division in turn select their representatives for the House of Chiefs. The Government decided that all clan heads should be *ex-officio* appointed members of their respective county councils. This not only gave status to clan heads but was in furtherance of the policy that traditional leadership, which is an essential ingredient in the social fabric, has an important contribution to make to local administration. In some county council areas, however, there are many clans and in order that clan heads should not exert a disproportionate influence in the council's affairs, the Government decided that appointed members should not exceed 20 per cent. of the total membership of a council. Where the appointed members exceeded this proportion, arrangements were made for them to hold office by rotation – the period of rotation being generally a year. This enables the appointed members to make a full contribution to the work of a council by being elected to committees, and even to contest the chairmanship. Where the number of clan heads was less than 20 per cent. approval was given for the appointment of other persons of genuine traditional authority who do not happen to be clan heads. This 'injection' of chiefs and other traditional leaders into councils has also given a stimulus to the appointment of presidents of councils, for which there has always been provision in the successive local government laws.

These are the major structural changes that have taken place. I now wish to turn to changes in the practice of local government. However, I do not intend to attempt a detailed survey covering all aspects of councils' functions. Suffice it to say that wherever the money has been available there has been an expansion of public services; and, where necessary, there has been a development of policy to assist the process. What I wish to concern myself with is an examination of a few matters of fundamental importance which in fact have universal application in newly developing local government systems; to trace the trends in policy and to try to account for them, and to suggest the lines along which future development may run. The subjects I shall refer to are staff and finance since they are the twin pillars on which the whole of local government administration is based.

Local government staff

Under the 1950 Ordinance, councils were free to engage whatever staff they required, subject to approval of establishments in the annual estimates and subject also to the approval of the then regional authority for posts carrying a salary of £400 per annum or more. Each council had its own permanent establishment and there was no movement of staff between councils save that arising from the filling of vacancies after advertisement. There were no statutory conditions of service, although uniform salary scales and conditions which had been tacitly acknowledged in the native authority days continued to be followed. This state of affairs bred a 'son of the soil' policy by which a council's staff was almost entirely composed of local men. The situation was capable of exploitation by both sides, by the councillors in corrupt practices over recruitment and promotion, by the staff in factional allegiance and the exertion of personal influence locally. Excessive pre-occupation with staff matters has always been common practice among councils. Maladministration and worse brought discredit to the system. This was one of the important factors which led to the removal of councils' powers in the 1955 Law. Just how sharp the reaction was can be illustrated by the following extracts from the 1950 Ordinance and the 1955 Law :–

Section 113 of the 1950 Ordinance stated:

"113(1). Subject to the provisions of sub-section (2), a council may appoint such officers, engage such staff and employ such persons as it shall think necessary for the efficient discharge of the functions of the council.

(2) A council shall not appoint, engage or employ any such person at a salary of four hundred pounds per annum or above without the approval in writing of the regional authority.

(3) . . . . . .

(4) . . . . . .

(5) Subject to the provisions of sub-section (2) a council may pay to any person so appointed, engaged or employed such reasonable remuneration as it may determine."

These provisions were replaced as follows in the 1955 Law:

"94. A council may, with the approval of the Minister, appoint such officers, engage such staff and employ such persons as it shall think necessary for the efficient discharge of the functions of such council.

95. No person appointed, engaged or employed by a council in any capacity shall be dismissed by a council for any reason without the prior approval of the Minister in writing.

96. Subject to the provisions of this Part and to any regulations made by the Minister under the provisions of Section 104 a council may pay to any person appointed, engaged or employed such reasonable remuneration as it may determine."

Early in 1957 the Minister did in fact publish staff regulations under Section 104 which laid down new salary scales, designations of posts and qualifications for appointment to them, procedure for appointments and discipline and general conditions of service. The Minister also delegated his power of approval for the engagement of daily paid employees and junior clerks and for the dismissal of daily paid employees to divisional officers (local government commissioners). A local government service board to advise the Minister on appointments and discipline of senior staff was also established. The board was (and is), however, a purely advisory body with no executive functions and the Minister was not obliged to accept its advice.

These fundamental changes could not, however, eliminate the damage caused by the 'son of the soil' policy. Neither was there facility for the movement of staff between councils. Hence the combination of local staff and local councillors was able to continue the inefficient and corrupt administration that the changes in power were designed to relieve. This led in 1958 to the assumption by the Minister of a most significant power which was as important for staff administration as were the structural changes of the same year for the general local government organization. Section 94 of the 1955 Law was amended as follows:

"94(2) (*a*) The Minister may transfer an officer or member of the staff of a council to the service of another council within the Region.

(*b*) Subject to the provisions of any regulations made by the Minister under Section 104, upon any such transfer being made the contract of service of the officer or member of the staff who is being transferred shall be determined and the council to which such officer or member of the staff is transferred shall employ such officer or member of the staff upon such terms as the Minister may direct."

Since the enactment of that amendment, several hundreds of councils' staff have been transferred and local government is the healthier for it. But it is also necessary for the purpose of this article to examine more closely what the power of transfer implies. In the first place it transformed a large number of separate establishments controlled by councils into a single local government service controlled by the Minister. It very nearly made it also a unified service, but not quite; councils were still responsible for recommending persons for appointment and promotion and for initiating disciplinary action; contracts of service were still with the councils. Two important considerations emerged. The object of the power of transfer was to improve efficiency and to promote stability by providing councils with an executive service divorced from local entanglements. A parallel intention was also to divert councils from the engaging pastime of recommending the appointment of the highest bidder (for the Minister could now fill a vacancy by transfer), so that they would pay more attention to the administration of the functions for which they were established. For about two years, however, transfers very nearly produced the opposite of stability. Not only were local men transferred to new councils but owing to the pressure of local likes and dislikes many of them found themselves regularly on the move. The danger was obvious. Not only was it necessary to eradicate the evils of the 'son of the soil' policy and to ensure that staff did not

remain long enough with councils to become entrenched in their posts, it was equally necessary for them to stay sufficiently long with a council to make an effective contribution to its work. Happily that has now been established.

The second consideration concerned the ultimate structure of the local government service. Would it become fully unified and if so how? As has been suggested unification was, so to speak, just round the corner. It remained for the Minister to assume full direct responsibility for appointments and discipline. But again unification could be achieved in one of two ways. Having wrested power from the councils the Minister could either vest it in an independent local government service board with full executive responsibility, which would then be to the local government service what the public service commission is to the civil service, or he could complete the process already started and assume absolute responsibility for and control of the local government service himself. Neither, in fact, happened. The idea of an independent local government service board has been rejected and instead there has been a partial development in favour of the latter method.

Difficulties over discipline were bound to arise if the Minister had no power to initiate action. A council could refuse to discipline a member of its staff although he richly deserved it; irregularities involving an officer might have been revealed long after he had ceased to serve a particular council and neither his old nor his present council were prepared to do anything about it; it was possible also for staff and councils to co-operate to frustrate transfers and thus compromise the central administrative machinery of the ministry. There were, of course, ultimate sanctions through the estimates, and even dissolution of recalcitrant councils, but these were heavy weapons for small engagements. Something quicker and more immediately effective was required. It was achieved in the 1960 Law by giving the Minister the power to direct a council to interdict an officer from the performance of his duties pending investigations and to dismiss or terminate his appointment if the Minister considered there were grounds for such action. And as if to close any loopholes by anticipating them a new section in the Law gives the Minister power to "give to a council, with respect to the discharge of its functions, such directions of a general or specific character as appear to the Minister to be necessary."

As has been stated, councils continued to make recommendations for the filling of vacancies and for promotions. For the more senior posts this amounts to the same thing because there is hardly any direct entry into the local government service at these grades. The defect of this system lies in the fact that such recommendations depend upon the response to advertisements and not all eligible officers answered or even saw the advertisements. The idea of a 'service' presupposes equal opportunities and consideration for all serving officers, and whilst in theory this was not ruled out in practice it did not work. In the 1960 Law the Minister has the power to rectify the defect. He can direct a council to:–

"(*a*) appoint or promote such officers, or;

(*b*) engage such staff, as he considers necessary."

In order that he could exercise this power a staff list of all grades of local government staff was compiled and using this in conjunction with annual and special confidential reports which have been rendered by divisional officers on senior staff for the past two years he now fills vacancies in the top posts himself. Councils are still permitted to make recommendations for the middle grades but here again the Minister reserves the right to select more deserving officers if they clearly exist.

The present staff organization is, therefore, excruciatingly near to being a unified service. What further developments will take place can only be a matter of conjecture. Full unification would involve amendments to the Law and the staff regulations to eliminate any function remaining with councils and to make the Minister not the authority who approves or directs but who actually employs. It may in time come to this, it may not. There is a discernible conflict between the need for thorough control and a reluctance to remove all responsibility from councils on the assumption that the exercise of responsibility encourages a sense of responsibility. It could, however, be argued that the functions of councils with regard to staff are so small and insignificant that their retention is not only unnecessary but introduces an element of confusion into centrally controlled staff administration; that in any case the conception of a local government service is incompatible with the exercise of functions in relation to the service by individual councils.

There is also a conflict of opinion over the ultimate repository of control. Some argue that it is wrong in principle for a service to be controlled by the political head of a ministry and that to continue with the present set-up will in the end prove demoralizing to the local government staff. These advocate an independent local government service board. On the other hand, others argue that since an efficient, disciplined and properly deployed staff is so vital for successful local government administration, the Minister must at this stage, at any rate, be in absolute and firm control of the staff whilst he develops his other policies. The answers to all these problems must be left to the future. One possible answer to satisfy both the need for control and the need to encourage councils to exercise increased responsibilities would be to unify the middle and upper grades and give councils responsibility for junior employees whose security and conditions of service could be safeguarded by separate regulations.

There is a further consideration that is already affecting policy. Because of the Minister's powers to fill vacancies and to order transfers, councils are becoming increasingly reluctant to train staff. They argue with force that it is against their own interests to send staff on expensive courses only to lose them later to other councils who have spent nothing on them. Without doubt the ministry will have to be responsible not only for organizing and arranging training courses but also for financing them.

Local government finance

The second major subject which I wish to deal with is local government finance. Again, I shall not give a description of the services on which councils spend their money but shall confine myself to certain important developments in the control and administration of their finances. Councils' estimates, both annual and supplementary, have always been subject to the approval of the Minister. This has enabled the Minister to control not only the expenditure of a council but also its revenue (particularly the level of rates), establishment and grading of posts. The detailed day to day control of finance has, however, always been left to the councils themselves. Unhappily the history of the councils' performance in this sphere has been anything but satisfactory. There has been a catalogue of extravagance, inefficiency, irresponsibility, irregularities and corruption which severely damaged the reputation of local government and shook public confidence in the organization. Audit reports and public and private inquiries made depressing reading and there was a danger

that many councils, through the excesses of councillors and staff, would be put out of business or rendered incapable of doing anything constructive for some time to come. Quite clearly financial control by councils had to be made to work or local government would have been a dead letter. A number of measures were therefore developed to cope with the situation and these are most certainly paying dividends. The efficiency of councils is improving and councillors are developing a greater sense of responsibility.

The biggest single factor responsible for this improvement is the surcharge. During the last two or three years an enlarged audit department has succeeded in bringing up to date the annual inspection of councils' accounts and has systematically surcharged individuals reponsible for expenditure that cannot stand the test of legality or 'reasonableness'. Procedural problems involving the audit department, the Ministry of Local Government, the Ministry of Justice and the courts have been ironed out and there is now an automatic process from surcharge to court action unless the surcharge is satisfied voluntarily. This measure was not taken particularly seriously to begin with but as the number of councillors appearing in court increased so it came to be realized that the Minister meant business. And since approximately 2,000 individual surcharge certificates have been issued the subject has become one of considerable interest and comment throughout the Region. There is now a growing tendency to satisfy the surcharge voluntarily and thus avoid heavy costs in court which might well be greater than the surcharge itself.

Two points are worthy of note about the surcharge. First, it cannot be avoided. Once imposed it pursues a relentless course until it is satisfied. And it does not matter whether it is imposed before or after a councillor has ceased to be a councillor. It can be recovered at any time as a civil debt. Secondly, and more important, it is the ultimate routine control and the most powerful deterrent possessed by the ministry. As in course of time, therefore, other central controls are relaxed and more power is exercised locally by councils, so the surcharge must be strengthened. It is a vital concept that the more the local autonomy the more also the need for an invulnerable and relentless central control to safeguard that local autonomy from self-injury. The surcharge has one drawback in that the Director of Audit cannot surcharge until he has carried out an inspection of the annual accounts of a council. This means delay between the incurring of illegal expenditure and the imposition of a surcharge, but this difficulty has now been overcome by the assumption of power by the Minister to deal with the more flagrant abuses of office. The Minister may investigate irregularities either by public inquiry or by such investigation as he considers necessary and, provided there are no audit objections, may himself surcharge those persons responsible for the illegal expenditure. In other words a council can be surcharged not only on its annual performance by the Director of Audit but on its current performance by the Minister. These measures are having their effect and a very healthy respect for the surcharge is developing throughout the Region.

There is, of course, special relief for officers of a council who are required to take action on resolutions which eventually lead to surcharge. But regrettably there has been a tendency for senior staff to seek shelter behind that provision in the Law and to neglect their duty to advise councils before they break the Law or act without authority. The Minister has therefore made it clear that unless such advice is in future recorded in the minutes of council and committee meetings, and is also valid advice, the officers concerned will not escape

responsibility in a subsequent surcharge. This it is hoped will encourage officers to develop a much more careful and thoughtful approach to their work.

For years the standard of treasury work and accounting has been deplorably low. Audit inspections have frequently involved rewriting the books of account and it has been difficult to assess a council's financial position because of the muddle. Two years ago an 'examination of accounts division' was created in the ministry with a field staff of executive officers in the provinces. Their task is to carry out a regular inspection of the books of account and financial transaction of councils in their provinces, to correct mistakes, to reveal irregularities, to carry out on-the-spot training of treasury staff and to report regularly to the ministry. This division supplies a much-needed internal audit and thus makes the job of the audit department much easier since it enables annual inspections to be carried out much more quickly than hitherto. It is acknowledged as a most valuable service and as one of the most important recent improvements in the local government system.

The award of contracts has always provided an outlet for cupidity and has therefore been viewed with concern. Excesses committed under the 1950 Ordinance led to the establishment of divisional tenders boards under the 1955 Law. These advise the Minister on contract awards, and a council's own powers were restricted to contracts of £50 and less. As an act of faith this has now been increased to £200 and if the response to the challenge is satisfactory further concessions may be expected in future.

The administration of staff pensions gives an interesting illustration of how policies react on one another and lead to the evolution of new policy. In the Eastern Nigeria (Local Government Staff) (Retiring Benefits) Regulations, provision is made for the payment of pensions to staff who fulfil certain conditions. The pension is paid by the last council an officer served before retirement. If during his career he served a number of other councils, each council is required to contribute to the pension paid by the final council in accordance with the proportion the emoluments drawn by the officer during his service with each council bears to his total emoluments earned during his career. This is a very reasonable arrangement and would work well but for the effect on it of the regular transfer of staff carried out by the Minister. Local government staff retire at the age of 60 and it is therefore possible for an officer to complete over 40 years service before he retires. During that time he might well have been transferred many times and served many councils. Multiply this case by hundreds and it will be seen that the administrative complications would be immense. Plans have therefore been put in train to establish a central pensions organization in the ministry to which councils will be required to contribute annually and which will be responsible for the payment of all local government pensions. The power of transfer has therefore made a central pensions organization an administrative necessity. Such an organization is of course a much tidier arrangement and would no doubt in any case have been established in time. The interesting point is that it was precipitated by an unrelated policy.

Grant assistance and rating show interesting trends. Apart from education grants and grants for specific projects, councils receive a block grant based on the population of their areas. It is a general purposes grant not tied to any specific services and originated in 1956 as a form of compensation for the loss of revenue when councils relinquished their tax collection junctions to Government. When the Government assumed responsibility for tax there was an

immediate and considerable increase in tax rates. In order not to jeopardize the collection of tax, councils were not permitted to raise more than a 5/- general rate *per capita*. This severely limited revenue and was incompatible with the rising clamour for increased local services. By 1958 the maximum rate had risen to 15/- and now there is no limit – the rates depend upon a council's needs and what its people can afford to pay. The average rate levied at present is £1. Now that the income from rates is on the increase, the Ministry of Finance is beginning to cast covetous eyes on the £1.4 million given out annually in grants to councils because of the need to strengthen the regional budget during a costly development period.

The Government's plans concentrate largely on agricultural, industrial and commercial development. The main burden of responsibility for the expansion of social services, and particularly their maintenance, will be shouldered by local government. Already with high tax, high rates and high cost of living the difficulties are great and the expansion can only be very limited. If block grants are curtailed that expansion must suffer; local government will be forced into retreat and will have to endure the static state of care and maintenance. This is a very real problem which depends for a solution upon available resources rather than good intentions. It may prove to be the starting point for the voluntary amalgamation of councils and the reduction of expensive overheads mentioned in earlier paragraphs. No council in the Region is rich and although there is no limitation imposed on the level of rates the level is dictated by what can be collected. No amount of brave resolutions can put the money into a council's treasury. Unrestricted enthusiasm can lead to a council's own undoing unless aspirations are based on the realities of financial competence. Thus the Minister has the difficult task when considering estimates of striking an acceptable mean between active encouragement and prudent rejection.

It is appropriate here to mention special rates for primary education for they present a special problem. In 1956 free universal primary education was introduced in Eastern Nigeria. Because of the very high cost of financing this scheme it has been modified in subsequent years and there are now only three free classes. The expenditure on the other classes is only partially subsidized by Government and the remaining expenditure has to be covered either by fees, rates or voluntary contributions. This unsubsidized expenditure is called the 'assumed local contribution'. A number of councils have undertaken to abolish fees in the primary schools in their areas by the imposition of an education rate. Although in theory it is an eminently practical proposition, it has had a mixed success.

The abolition of primary school fees heavily involves the missions whose schools are in a considerable majority. They base their plans on a council's undertaking to pay to them the assumed local contribution at regular intervals and by giving this undertaking a council commits itself to the scheme, whatever happens. For there are two considerations which vitally affect any council embarking on such a scheme. First, it is generally true that councils are better at spending money than they are at collecting it. Rates are often considerably in arrears which frequently suffer from being half-heartedly pursued when a new year's rate becomes a pre-occupation. But with a special rate for a special purpose which demands a full collection within the year because a council is committed to regular payments, this tendency becomes a real danger. If a special education rate is undercollected a council cannot discharge its obligations by merely paying to the missions the proceeds of the collection. Underpayment to

missions means that their arrangements are put out of gear and they cannot maintain their schools. Teachers go short of their salaries or have to be retrenched, schools may in the end have to be closed and the rate becomes a nuisance rather than a boon. If this undesirable situation is to be avoided a council must supplement the underpayment by withdrawals from its reserve funds and its general financial position is worsened. Unless, therefore, such education schemes can be made self-balancing in practice by a full collection of the rate, councils can plunge themselves into serious financial difficulties and considerably reduce their effectiveness in other matters for which they are responsible. Secondly, an education rate normally has to be high if it is to achieve anything worthwhile. Since the total of all rates must be realistic enough to be collectable a high education rate tends to force down the general rate or at best to keep it static. This prevents a council from embarking on any significant development of its other services for which there is a public demand. Schemes involving education rates are always laudable and are always feasible on paper but their success can never be guaranteed by councils. Both the Ministry of Local Government and the Ministry of Education treat local enthusiasm with some reserve since they neither want to be party to organized confusion in schools nor to insolvency in councils.

Conclusion

The foregoing paragraphs have attempted to highlight some of the more important trends in the organization and practice of local government in Eastern Nigeria over the past few years. I mentioned in an earlier paragraph that Eastern Nigeria had begun to evolve its own system of local government. This is as true of the practice of local government as of its organization. Looked at from every aspect it is a great deal different from the model on which it was based and what the 1950 Ordinance set out to achieve. But the important consideration for a developing system is that it should not be a slave to a theory or set of theories. A system which has proved itself in one part of the world need not necessarily repeat its success in another. The acid test is what works best in a particular environment. Policies are therefore empirical and are adjusted to meet the needs of the moment. After only ten years of operation local government is still very much in its infancy and there are many years of trial and error ahead before a definitive system emerges.

No attempt has been made to refer to the wide variety of local government activities in which some sort of progress or development can be recorded. That would require several chapters of a book. But in case reflection on causes and effects, on problems and their possible solution has masked achievement, let it be said that in ten years local government has gone a very long way. County councils maintain more than 280 dispensaries, 160 maternity homes, 50 health centres, 330 customary courts, one-fifth of all the primary schools (about 1700), 20 secondary and teacher training establishments and 13,000 miles of local roads. Even though the standard of maintenance leaves much to be desired in many areas, it is quite certain that the Region would be in a bad way were it not for the volume of local services provided by councils. Therefore although this article concentrates on rather different aspects of local government the credit balance of achievement cannot be overlooked. On the other hand it is not uncommon for progress to thrive in a corrupt atmosphere. You do not need integrity, only money, to build a health centre or a secondary school. The future of local government does not depend primarily upon

resources, although this is problem enough, but in getting councillors who are prepared to serve instead of seeking opportunities for business and who regard politics in terms of national programmes rather than local interference; and simultaneously on forging an efficient local government service. The Minister has said recently that he is determined 'to clean up' local government. These are the difficulties confronting him.

The Role of the Mayor in Britain

by J. F. GARNER[1]

MUNICIPAL boroughs in England and Wales vary very considerably in size, history and characteristics. Some are very small – Eye in Suffolk, according to the 1961 Census, had a population of only 1,580, whilst Birmingham with a population of 1,105,651 was the largest all-purpose local authority in the country. Some boroughs have charters going back to the early Middle Ages; some are even so old that their earliest charters have been lost and they may be said to be 'boroughs by prescription', whilst others have not yet seen their first ten years of borough status. Some boroughs are county boroughs (all-purpose authorities), others are non-county boroughs, having only a few functions more than an urban district council, and sharing the local government of their area with their county council. Some boroughs are cities – and this also is not a mark of size – and some are 'counties of towns' or 'counties of cities', being entitled to appoint their own sheriffs, while the honoured few may be entitled to a special sobriquet 'royal' or 'regis' as some sign of royal favour in times past. Such titles are, however, but trappings, having very little local government significance. One feature, however, all boroughs have in common; they all have as their first citizen a mayor (or lord mayor).

A short account follows of the history of the mayoral office and of the mayor's position in law and practice at the present day, concluding with an appraisal of his significance in English local government.[2]

History of the mayoral office

The word 'mayor' almost certainly has Norman-French origins, but it was not used universally in England as signifying the head of a municipal corporation until after the passing of the Municipal Corporations Act, 1835, which in this, as in other respects, imposed a standard constitution on all those boroughs which were allowed to continue in existence as local government units. Until the nineteenth century several other titles were used for the person we now know as the mayor, namely 'high bailiff' or 'bailiff', 'portreve', 'alderman' or 'warden'. Primarily in mediaeval times the mayor or his pseudonym was a magistrate; indeed in some towns he was the sole magistrate, and his most important duties were to preside over the borough's criminal and civil courts. Other administrative tasks were often put upon him by statute or by local custom, including such matters as keeper of the borough jail, the regulation of the size of loaves of bread, and the admission of freemen. He was always also chairman of the governing body of the Corporation – known variously by titles as the Common Council, the Capital Burgesses or the Approved Men.[3]

Whatever his title and however extensive were his precise legal powers, there is no doubt that by the eighteenth century the mayor of an English borough had become a very important person within his own borough, although

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[2] See the writer's 'Civic Ceremonial', Shaw and Sons, 1957, for further information.

[3] Titles which have survived in several towns in the U.S.A., in what were formerly the New England Colonies; for example the 'Selectmen' in Andover, Mass.

his social standing was not always equally high. Indeed, the government of many boroughs had become a scandal; the Webbs said about the city of Coventry at this time that "an unscrupulous use of patronage and power for political purposes was, however, not the worst of the faults of the Coventry Corporation. In the administration of the corporate funds they scarcely ever thought of the public needs of the city, but dissipated the money in their own feastings and perquisites."[4] Consequently the provisions introduced by the Municipal Corporations Act, 1835, which dissolved some of the smaller and more corrupt boroughs and reformed the constitutions of all that were allowed to survive, were highly desirable. In future mayors and members of borough councils were to be elected on a wide franchise, and the government of the borough council was divorced from the local administration of justice, although the mayor remained a formal link between the two, in that he was chairman of the council and also as 'chief magistrate'[5] was entitled to preside over the borough magistrates.

The Mayor's position today

The Local Government Act, 1933, provides the legal background to the modern pre-eminent position of the mayor. This position may be considered under several headings:

(i) *Election and selection of a mayor.* Any person qualified to be a member of the borough council may be elected mayor of that borough (Local Government Act, 1933, ss.18(1), 57 and 59), and, therefore, the choice is not restricted to those persons who are for the time being members of the council. In practice the next senior member of the council who has not yet been mayor is most frequently chosen, but this rule of practice is not universally accepted and is sometimes departed from; on occasion a person who is not a member of the council (possibly an ex-member, or some local dignitary whom it is desired to honour in this way) may be elected mayor.

The choice of a mayor from outside the council is not in accord with strict democratic principles, in that the electorate have not had the opportunity of approving of the candidate so elected; and indeed he may even be a person who was unsuccessful at a recent election of councillors. In practice in England, however, these arguments are rarely heard. This is because most councils rarely choose as mayor someone from outside the council, and when they do, the choice made will usually be one which commands general support. Thus, in the year of Her present Majesty's Coronation, several boroughs asked local notables to become mayor, so that the Coronation festivities could be celebrated on a considerable scale. This particular provision in the statutes is not, however, one that need be adopted in a newly developing country, as it is of doubtful value.

The election takes place as the first item of business at the council's annual meeting, now held in May, and the only persons entitled to vote at the election (which takes place at the public meeting) are the members of the council, both aldermen (except any such who are retiring from office at that meeting[6])

[4] 'The Manor and the Borough', Vol. II, page 441.

[5] A title to which the mayor is apparently still entitled, although he is no longer chairman of the magistrates *ex officio*.

[6] Aldermen also are elected every third year – at the annual meeting – and in the years when an aldermanic election is held this is the item of business taken next after the election of the mayor.

and councillors. However, it is customary in most boroughs in this country, in order to avoid unseemly scenes at the annual meeting and to preserve a semblance of unanimity at the election of the town's first citizen, for a single candidate for the mayoral office to have been selected informally by the members of the council some time prior to the actual election. Selection procedures vary considerably from borough to borough, but once such a procedure has been established, generally by agreement between the two (or more) political parties represented on the council, it will be loyally observed. The candidate selected as a result of the appropriate procedure will thus in most cases be elected without opposition at the annual meeting. However, on occasion political or personal feelings run high, and then there may be a contest at the meeting itself, when alone the legal election can take place. This is unfortunate for the mayor must appear to the outside world as the representative of his council and his town, and should give an air of impartiality during his year of office. During his year it is customary for the mayor to take no active part in party politics at either the local or the national level.

(ii) *Chairman of the Council.* Part II of the Third Schedule of the Local Government Act, 1933,[7] stipulates that "at a meeting of the council of a borough, the mayor, if present, shall preside". This provision is mandatory; if a mayor is in fact present at a meeting and does not preside, he cannot vote or take any part in the proceedings as mayor,[8] and it would seem that the meeting is not then properly constituted.[9] If the mayor is not present at a meeting, the members present must elect a chairman for that meeting; the deputy mayor (who is appointed by the mayor, not by the council: L.G.A., 1933, s.20)[10] does not automatically take the chair in the absence of the mayor.

The mayor will normally be a member *ex-officio* of all the committees of his council, but chairman of none of them (or at most, of the General Purposes Committee[11]); these rules are not matters of law, but they will depend on the terms of the particular council's standing orders. So far as the council itself is concerned, the mayor is no greater, and has no more powers than, any other member, except for his right as chairman to give a second or casting vote at a meeting on any matter where there is an equality of votes. Otherwise, the decisions of the mayor are binding on neither the council nor its officers, and he has no personal powers of direction. On the other hand, a 'strong' mayor may on occasion take the responsibility of making a decision in some

7 Incorporated by section 75 of the Act.

8 *re Wolverhampton Aldermanic Election* [1961] 3. All E.R. 446.

9 This was not a material point in the *Wolverhampton case* (*supra*), and, it is submitted, it remains open.

10 It may be considered strange that the deputy mayor should be appointed by the mayor and not by the council. The provision works well in practice, however, for the deputy mayor is regarded as the personal representative of the mayor. His commitments are mostly social, and he has very few legal powers. As mentioned, he does not automatically take the chair in the absence of the mayor, and he cannot 'substitute' for him as magistrate or as *ex-officio* member of committees of the council. As his functions are thus mainly a matter of taking the mayor's place on occasions when the mayor himself has no legal powers, the method by which he is chosen has little political significance. On the other hand, as mayor and deputy mayor have to settle their respective ceremonial or social diaries together, it is important that the deputy should be one whom the mayor can trust. In urban and rural districts, and in counties, in England, where ceremonial duties are less, the vice-chairman of the council is chosen by the council *not* by the chairman.

11 It is undesirable that the mayor should be chairman of any committee which may be called upon to consider controversial matters, owing to the difficulties that would then arise when he presented the report of such a committee at a council meeting at which he would also be required to be in the chair.

emergency, or between meetings of the council, in the hope (or, perhaps, the confidence) that his action will subsequently be supported and adopted by the council. Nothing less than a decision of the council can bind the council,[12] which cannot delegate the power to exercise a discretion vested in it by statute to the mayor, or indeed to any member, officer or other individual[13]. But if a decision is informally taken and acted upon, this can subsequently be ratified by the council and will thereupon become binding on it as if it had been its decision in the first place.[14]

(iii) *Precedence.* It is provided by section 18(5) of the Local Government Act, 1933, that "The mayor shall have precedence in all places in the borough; provided that nothing in this sub-section shall prejudicially affect His Majesty's royal prerogative". In social matters this provision is of significant importance. It is probably not correct for the mayor to regard himself as the personal representative of the sovereign in his borough; that position is accorded to Her Majesty's Lord Lieutenant for the County, who is entitled to precedence over the mayor, even in his own borough. Nevertheless, although the mayor now owes his pre-eminent position to statute law, historically that position was derived from the royal charter creating the borough, and therefore, also his own office. A mace (and sometimes other insignia, such as a sword or a cap of maintenance) is always carried before the mayor on ceremonial occasions, and if his borough was created by royal charter[15], the mace is entitled to bear a crown on the handle as a symbol of the royal authority vested in the mayor.

A mayor is thus entitled to precedence on all occasions over all other persons, except the sovereign herself, members of the royal family, and the lord lieutenant of the county in which the borough is situated.[16] This precedence can be claimed even as against the Prime Minister, the Lord Chancellor, or other high dignitaries in Church and State, but it is not often necessary to assert the mayor's legal rights, and his precedence should in any event be claimed always with decorum and tact.

(iv) *Remuneration.* Section 18(4) of the Local Government Act, 1933, reads as follows: "The council of a borough may pay to the mayor such remuneration as it thinks reasonable". In practice, almost every borough council in the country makes use of this provision to pay an annual salary to the mayor, which is usually little more (and often less) than an expenses allowance. The amount of the salary is usually fixed for a period of years or annually before the mayoral election, and when it is paid no condition can be imposed to the effect that the mayor shall expend the salary, or any specified portion of it, on any particular item of hospitality or in any particular manner[17]. The amount of a mayor's salary is at the discretion of the council, but it is customary for it to be fixed at an amount which should be sufficient to meet

[12] "All acts of a local authority and all questions coming or arising before a local authority shall be done and decided by a majority of the members of the local authority present and voting thereon at a meeting of the local authority": Local Government Act, 1933, Third Schedule, Part V, para. 1 (1).

[13] There is, of course, power to delegate functions vested in the authority to a committee of their number: L.G.A., 1933, s.(85 (1).

[14] *Warwick R.D.C. v Miller – Mead* [1962] 1 All E.R. 212.

[15] Since 1835, new boroughs have been brought into existence by royal charters issued under the authority of statute, but royal permission is also normally given for a crown to be incorporated in the design of the mace.

[16] At Oxford and Cambridge, the mayor has to yield precedence to the Vice-Chancellor of the University (L.G.A., 1933, s.302(b)).

[17] *Att.-Gen. v Cardiff Corporation* [1894] 2 Ch. 337.

most of his expenses by way of hospitality[18]; it is rarely, however, made large enough to meet all the expenses that are likely to be incurred by the mayor – or his wife – during his year of office. In consequence it is often a financial sacrifice for a man to undertake the mayoral office, and perhaps it is desirable that this should be so; certainly, the mayoralty should not become 'an office of profit'.

(v) *Elections*. The mayor of a borough is required by law to perform certain functions in connection with local government elections. Thus, the mayor will adjudicate on the validity of nomination papers on an election of councillors for a borough which is divided into wards,[19] and he acts as returning officer throughout such an election if the borough is not divided into wards.[20] Where an electoral division of a county is co-extensive with, or is wholly contained within a borough, then the mayor is required to act as returning officer at any election for county councillors for that division[21]. Where a borough parliamentary constituency is conterminous with or wholly contained within a borough which has no separate sheriff of its own (apart from the county sheriff), the mayor will be the returning officer for any parliamentary election held in that constituency, except insofar as his duties may by arrangement be carried out by the registration officer for the constituency.[22] In practice, of course, the mayor delegates his duties as far as possible to, and relies on the advice of, the town clerk of the borough.

(vi) *Magistrate*. As mentioned above, the mayor is *ex-officio* a member of the commission of the peace for the borough (or, if the borough does not have a separate commission, for the county in which the borough is situated), during his year of office[23]; he is not now automatically the chairman of the bench, even where the borough has a separate commission,[24] although he may be (but rarely is) elected to that office by his fellow justices.

(vii) *Title*. As a magistrate, the mayor is entitled to the courtesy title, 'Your Worship', and he is customarily announced as 'His Worship the Mayor'. Much controversy has attended the question whether a lady mayor should be addressed as 'Mr. Mayor', or as 'Madam Mayor', but custom seems to be hardening in recent years in favour of the apparently illogical 'Mr. Mayor';[25] the difficulty can in some contexts be overcome by the use of the longer mode of address 'The Worshipful the Mayor'.

Some boroughs have acquired the dignity of a lord mayor. This is a courtesy title which is in practice accorded only when the borough in question has already attained the status of a city. A lord mayor is correctly addressed as 'The Right Worshipful the Lord Mayor', except for London, York, Belfast, Dublin and Cardiff (and the Lord Provosts of Edinburgh and Glasgow), where the mode of address is 'The Right Honourable the Lord Mayor'. The grant of the dignity of a city, of a lord mayor, or of the title 'Right Honourable', would in modern times be a matter for letters patent from the Crown, but

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18 The amount actually paid varies considerably according to the size of the town and the extent of the hospitality the mayor is expected to provide.
19 Representation of the People Act, Second Schedule, rules 9 and 10.
20 op cit., s.27(2).
21 op. cit., s.26(4.)
22 op cit., s.19.
23 Justices of the Peace Act, 1949, s.2(c).
24 op cit., repealing s.18(9) of the L.G.A., 1933.
25 Although it is understood that a recent Lord Chancellor has ruled that a lady Recorder should be addressed, not as "Mr. Recorder", but as "Madam Recorder". It does not follow, however, that it will become correct one day to address a lady High Court judge as "Milady".

in former times towns acquired such dignities by prescriptive use, as was the case at York in particular.

Mayors of cities, who are not lord mayors, are entitled to be addressed as 'The Right Worshipful the Mayor'. The consort of a lord mayor is a 'Lady Mayoress', and she is entitled to the sobriquet 'Right Worshipful', but otherwise a mayoress, not holding any office known to the law, is not entitled to any special designation.

The value of ceremonial

After this very brief résumé of the position of a mayor in a modern English borough – and of course many of these observations have been generalizations to which exceptions may be found in particular towns – it remains to try to assess the value in local government of the pomp and ceremonies that accompany the mayoral office.

Chairman of the borough council and a magistrate by law, the mayor is in reality much more than this. Wearing his red robe,[26] his tricorne hat and his chain of office, the mayor is the most important figure at all municipal occasions, and he attends service at the cathedral or parish church on such occasions as Mayor's Sunday (the first Sunday after his election), Battle of Britain Sunday, Remembrance Day, and United Nations Sunday. He will welcome and entertain visiting royalty, open public buildings and attend charitable and other public functions of all kinds from the granting of the honorary freedom of the borough to a distinguished citizen or a branch of the armed forces of the Crown, to a local baby show, the annual carnival or a school prize-giving. He will be expected to dispense hospitality on a large scale, perhaps being called upon to hold a reception or a banquet open to all the citizens of the town; he may be required to welcome the local football team if they do well in a league or other competition, or to receive the members of some national organization holding a conference in the town.

In social matters the mayor has to a considerable extent taken the place of the local gentry who in the last century were expected in many parts of England to provide occasional hospitality and charity for their deserving but less wealthy fellow townspeople. Thus, the mayor will be the individual who is expected to launch a charitable appeal at any time of local distress, such as a flood, a serious fire, or the destruction of homes by an aircraft crash. Similarly he will be expected to support, by commencing a local fund, any major national appeal, such as the World Refugee Year or the Lord Mayor of London's appeal for those who suffered in Hungary in 1956.

From a purely utilitarian point of view, the cost of maintaining a mayor, the hospitality and the entertainment, the robes and the insignia, is a waste of ratepayers' money, as there is no tangible benefit for the townspeople. Nevertheless, it is submitted that a reasonable expenditure on ceremonial can be justified in the budget of any urban community, on the following grounds:–

(*a*) Ceremonial, and pomp and circumstance, add tradition and respect to the institutions of local government, as they do for the central Government. The ceremony that surrounds the Throne, the scarlet robes and the wigs of

[26] Lord mayors wear black robes embellished with gold lace, some mayors wear blue or purple (as was formerly the case at Wigan), not red robes, and the Mayor of Sandwich's robe is black in mourning for one of his predecessors murdered by French sailors in the fourteenth century.

the judges of assize, attended by their military escorts, and the vestments of the clergy, are all outward and visible signs of an inner authority conferred on their wearers by the assent of the people. Similarly, the mayor in his robe and chain, accompanied by his mace bearer and the town clerk in wig and gown, serves to remind the passer-by of those who carry on the local government of his town on his behalf.

(*b*) The mayor, by his special position in the community, is able to act as a modern patron of the arts; by his support of local organizations, such as repertory or amateur theatre companies, orchestras and groups of artists, he can foster a high sense of community and culture in the borough.

(*c*) Most important of all, ceremonies properly carried out with due order and dignity can stimulate an interest in local government which is very necessary in modern conditions, when so many citizens 'couldn't care less' about the affairs of their own town. Those boroughs whose councils have a respect for ceremonial are often also those where the highest percentages of votes are cast at local elections.

However, it is essential that all ceremonial should be carried out, as the present writer said some years ago,[27] 'properly and sensibly'; properly, in that it is conducted with due decorum and without fuss, and sensibly in that it is consciously based on tradition and is not invented for the purpose of making an impression, or so as to provide a tourist attraction. New ceremonies based on the traditions of others are perhaps justifiable, and new traditions must be started sometimes; therefore the judges in an African country may well decide to wear wigs and robes similar to those worn in England, but in such cases (and many examples will readily spring to mind) it is suggested that the new ceremonies should follow as closely as possible the original precedents from which they were copied. If this is not done, the meaning and therefore the justification for the ceremony may disappear.

Conclusion

These random notes have deliberately omitted all reference to London. This is perhaps unfortunate because London has been historically the model for other municipal corporations in this country, and the Lord Mayor of London has always been almost a national personage. However, partly because of its pre-eminence, the local government of London is not at present typical of that of the rest of the country; in particular, the Lord Mayor of the City of London has unique powers and a special status; while the mayors of those inventions of the later Victorian age, the metropolitan boroughs, have neither history[28] nor legal status[29] to support them. These remarks only apply to the mayors of England and Wales; there are, however, mayors in Eire and in Northern Ireland, while in Scotland the corresponding local government official is known as the provost (or the lord provost).

Finally, it must be emphasized that in a country with as long a history of local government as England, many customs and traditions have grown up around the mayoral office. Thus, a lord mayor is not entitled to the sobriquet 'Lord' when he has completed his year of office, but at York it has become the custom to allow the lady mayoress to retain the courtesy title 'Lady':

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[27] See article at 119 J.P.Jo. 117 (1955).

[28] With the possible exception of Westminster, which was a city for a few years in Tudor times.

[29] There is no statutory provision according legal precedence to the metropolitan mayors, corresponding to s. 18(5) of the L.G.A., 1933 (*supra*).

"My Lord is a Lord for a year and a day,
But she is a Lady for ever and aye".

Many special ceremonies are observed in particular towns, in all of which the mayor of the borough plays a central part; the Furry Dance at Helston in Cornwall, the Oyster Feast at Colchester, and Barnstaple's Annual Fair, with its 'secret' brew of ale, are but a few of these. The Mayor of Southampton, in common with a few others, is the Admiral of the Port, and the mayors of the ancient Cinque Ports are entitled to hold special courts. In some towns, special officers (whose tasks are now often little more than ceremonial sinecures) are appointed, such as the Aletaster, the Pinder and Tester, the Sergeant at Mace, the Beadle, the Town Crier, and 'Le Yeoman' (at Penzance, whose task it is to lead the mayoral procession). Apart from special insignia, including swords and oars, many towns possess other objects, such as wands, sticks and halberds, wherewith to protect and enhance the dignity of their mayor. Many also have choice pieces of plate, such as loving cups, rosebowls and the like. Indeed, most of the many towns that have been incorporated for a hundred years or more have some special custom and property which serves to add colour and dignity to the mayoral office.

Decentralization for Development—I[1]

by Lordello de Mello[2]

Influence of local government in national development

My experience in dealing with the administrative aspects of decentralization in Brazil and in discussing it with public administrators of several other Latin American countries has convinced me that it is impossible to study the problems and techniques involved without considering at the same time the implications of economic underdevelopment upon the administrative process as a whole, and upon the effectiveness of decentralization in particular.

Local authorities in Brazil enjoy a degree of autonomy perhaps unsurpassed in any other country in the world. So vast are the powers conferred upon the municipalities, and so great the freedom granted to the municipal government in relation to the states and the federal government that the Brazilian federal system is considered unique in the status accorded in it to the municipalities.

Yet, in spite of such an extraordinary degree of political and legal decentralization, the local authorities are far from being a decisive element in the process of national development. This is due partly to flaws and shortcomings in the administrative system, many of which spring from economic underdevelopment. Political immaturity; corruption; nepotism; the persistence of the spoils system; and excessive, sterile and irresponsible bureaucracy that exists for its own sake; the lack of a civic consciousness and the attachment to family or clan interests rather than to community and civic affairs, are some deterrents to good government that always go hand in glove with economic underdevelopment, of which they are the effect rather than the cause.

Changing the economic structure of underdeveloped countries

The economic structure of underdeveloped nations, based usually upon the export of agricultural and raw materials, rests upon the existence of a large, destitute peasant class and a rather small middle class that does not participate in the production process. In Latin America at least the dominating class of big landowners and merchants, interested as it is in maintaining the *status quo*, uses public employment as a means to placate the restlessness of the members of the middle class who, being educated, and living in urban communities, could become dangerous agitators if not given the means of subsistence. Under this economic structure the State has few functions. Governmental effort is concentrated on the collection of taxes; and bureaucracy becomes an end in itself. Public employment is not designed for the performance of public services but as a means to justify the existence of a parasitic element of the population.

All this affects the governmental process so deeply that good administrative techniques alone are not enough to promote national development. Their limitations must not be overlooked, lest unfounded hopes bring disillusionment.

[1] The articles by Dr. Lordello de Mello and U. Thoung are taken from a statement prepared for the use of the United Nations Working Group on the administrative aspects of decentralization for national development at Geneva in October, 1961, convened by the Division for Public Administration, United Nations Department of Economic and Social Affairs. A report on this subject is being prepared for publication by the United Nations.

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Concurrently with administrative improvement, those in positions of leadership must bring about a change in the economic structure of the country, which alone can provide liberation from underdevelopment.

One of the most baffling decisions to take in the developing countries is the choice between investing in the industrial infra-structure and in the social services. Priority must be given to the first if the process of development is to be hastened, regardless of the fact that improved education, health and other social conditions may be important factors in determining the population's ability to undertake economic change. But since capital is so scarce and the cost of social services so high, a careful selection of the most reproductive investments must be made. This choice has led Brazil, for example, to favour investments in basic industries during the last twenty years instead of in agriculture and the social services. The result of this has been the greatest economic change the country has ever experienced, a change that has affected the entire economic structure, from top to bottom. Brazil no longer has a semi-colonial type of economy based upon the production of agricultural and raw material for export.

The balance between central control and local autonomy

Now the change of economic structure of a country requires a strong central government and strong central controls, many of which affect local autonomy directly or indirectly. In Brazil, federal control of credit, wages, exports and exchange has largely contributed to the weakening of both state and local government, while the federal government has become more and more powerful. In the fiscal field, the same pattern prevails except in Sao Paulo State, where the change in the economic structure brought about improved economic conditions, which in turn made the tax sources of the State and the local authorities more productive.

The transition from a semi-colonial to an industrial economy requires the adoption of national directives and large-scale governmental intervention in the political and economic life of the country. The need for a strong central government in such circumstances does not imply, however, that administrative centralization is the best way in which it can play its decisive role. A clear understanding of this is lacking in many developing countries. Foreign observers, particularly those engaged in technical assistance projects, often fail to see that the improvement of local government is part of the total process of development. Experts who come from highly developed countries tend quite often to put too much emphasis on representation and the proper working of political institutions at the local level, and on the priority of investments in the social services over investments in reproductive projects. This error of perspective leads to impatience and frustration on the part of the expert and to a lack of interest on the part of those to whom the technical assistance is being offered.

A certain balance must be struck between the ultimate aims of decentralization and the maintenance of central controls to speed up development. In countries with the local autonomy tradition, that balance is perhaps best found in certain administrative and governmental processes and techniques, such as overall planning, budget preparation and control, grants-in-aid, co-ordination of central-local government activities, and technical assistance. Overall planning, not just central planning, is essential, not only to direct the development process in all its aspects – economic, social, cultural and administrative – but also to provide the basic directives for central-local relations in such vital

matters as the distribution of functions, fiscal policy, grants-in-aid, and priority of investments.

Conclusion

In discussing decentralization for development, constant attention must be given to the fact that, if development is to be achieved in a reasonably short time, the best methods and techniques to be used are those which can inject most effectively into the productive process as large a portion of the total population as possible in the shortest time, bearing in mind that the productive process that matters for development is that which can bring about a real change in the economic structure.

Decentralization for Development—II

by U THOUNG[3]

Trend towards centralization

The fact that there is a universal need for decentralizing government activities whether in the form of deconcentration to administrative field units or devolution to statutory local bodies has never been disputed. It is therefore paradoxical that despite this imperative need the trend of the present-day organization of government in most democratic countries is more and more towards centralization. It seems to me that the first essential step before embarking on any practicable reform towards decentralization of the services is to examine in more detail the circumstances underlying this tendency in the newly independent countries towards excessive centralization, and to appraise its impact on the machinery of government.

It is a commonplace of observation that the developing countries have become enmeshed in the revolution of rising expectations. More has been expected than would have been with the normal growth. Infused with a sense of mission, the new political leaders have been too enthusiastic and desired to see their visions of their countries rapidly transformed into reality. In their enthusiasm, coupled with their lack of faith in the civil servant in the execution of their programmes, the tendency of these politicians to meddle in every facet of administration has gone unchecked. Too much emphasis has been laid on the principle of ministerial responsibility which, in practice, has meant political interference in the administration.

Division of responsibilities between central and local government

Few realize that in any large organization there should exist, as far as is practicable, a well defined division of authority, responsibility and functions. This concept coupled with other factors has led to the creation of a large number of ministerial departments and other agencies including central statutory bodies, resulting in duplication and overlapping of functions. In Burma, for instance, the responsibility for water supply schemes for rural areas is simultaneously assumed by four central government agencies. The result is confusion and chaos in the administration. Many administrative functions previously performed with some efficiency by the local bodies have, with the attainment of independence, been transferred to the jurisdiction of the central Government. Since the major concern of the State is now with development, some justification could have been made out for these functions to be centralized. But in the newly-created organizations, which are often overstaffed, there is lack of understanding of the part which should be played by every member of the staff, thereby breeding a tendency to 'pass the buck'. Proper devolution, which is so necessary for efficient discharge of work, has been rendered impossible. What is worse, there has seldom been a recognition of the essential need for drawing lines of demarcation between larger policy issues and day-to-day administration. It must, however, be admitted that it will be very difficult

[3] Thiri Pyanchi, Sithu U Thoung is the Secretary/Director of the Public Administration Division of the Revolutionary Government Chairman's Office. He is a younger brother of U Thant, United Nations Secretary-General.

to draw a hard and fast line of demarcation between those matters which should be referred to the political heads for decision and those which need not.

On the other hand, attempts have been made in some countries to demarcate responsibilities in the form of legal enactments or executive directions. Pakistan, for instance, has enacted a comprehensive legal document known as the Rules of Executive Business which defines in some detail the allocation of functions between the Cabinet, the ministers and the permanent heads. The Government of Thailand in a recent directive, has laid down that the Cabinet should be concerned only with major policy matters and legislative bills for presentation to Parliament. Creation of a new government department requires, in some countries, the approval of the Parliament, whereas in others the matter is entirely left within the discretion of the head of the executive. I am afraid I am not in a position to attempt any solution to this delicate problem. But my considered view is that since lack of delegation of authority usually starts from the top, any attempt towards remedying this state of affairs must necessarily commence from the top.

In regard to local government, some countries have even gone to the extent of defining in their Constitutions, at least in a broad sense, the sphere of local government. In Burma, for instance, its national Constitution envisages the conferment of administrative, cultural and economic matters to regional representative bodies on the basis of 'principles of regional autonomy'. In conformity with these objectives Burma has embarked on an ambitious scheme known as the democratization of local administration which, unfortunately, is now being suspended after a few years' trial in some selected areas.

The first and foremost difficulty is the inability to define clearly and precisely the sphere of local government and that of the central Government. The original democratization plan attempts to draw a distinction between central services and local services. It is deemed that central services shall in general comprise those in which efficiency requires national uniformity rather than public co-operation, whereas in local services active public co-operation is essential to any high standard of efficiency. The functions of a local body are to ascertain local wants, to frame a policy for meeting them, to provide the requisite funds and to supervise the machinery for giving effect to its policy.

It may, however, be contended that this demarcation of functions between central and local is philosophical and doctrinaire. The allocation must be a practical one based upon ability to perform, convenience, recognition of need and the nature of the policies and programmes of the national government. In other words, the task of defining the sphere of local government must be a continuing one, for as new functions are undertaken, old functions must be discontinued; as administrative processes and procedures change, alterations must be made in the functional allocation. In particular, the assertion that the main function of local government is general promotion of social welfare in such matters as require co-operation by the people for efficiency is untenable because there will be very few matters falling within the range of governmental purview that do not require co-operation of the people for efficient performance. The failure of the democratization scheme in Burma may partly be ascribed to the inability to find workable criteria for distinguishing between central and local functions. An inevitable result is that in most developing countries, while elected representatives are responsible to those who elected them, they are also held responsible to the central government for the performance of central government services.

The role of central and local government officials

Integration of central government administration with that of local government at the lower level leads to another important problem. The framers of the democratization plan in Burma were of the opinion that local council officials should work under the supervision of the central government officials in the corresponding departments. They suggested that the most convenient method of applying this principle would be for the government departmental official to be the head of the corresponding department in the local council. The local council would decide what needed doing but the responsibility for the professional aspect of the work, and for doing it as efficiently as possible within the financial limits prescribed by the council, would rest on the central government official rather than on the local council. In other words these central departmental officials, while attached to the local councils, would be responsible to their departmental superiors at the headquarters of government for the professional and technical aspects of their work in the districts.

The role of these field technical personnel of central government is thus very anomalous. In the discharge of their functions they cannot be expected to assume dual responsibility both to the centre and to the local unit. If they are made the servants of the local authorities, the local council will certainly lack the means to place them on its pay-roll.

Closely linked with this problem is the role of generalist field administrators. In many emerging countries, particularly those which were previously associated with British rule, there exists an élite class of career district officers commonly known as the general administrative class. The concept of general administrative officers with broad experience, selected from the best products of the universities, acting as agents of central government in the districts as well as supervisors of the work of local government, is still regarded as a valuable contribution of the development programmes in spite of the ever increasing technical trends. But instead of the former regulatory functions, such as maintenance of law and order, collection of taxes and administration of justice, they are now expected to assume new development functions. On this subject, I had the benefit of advice given by Professor Robson who said:–

> "It is very desirable that general administrators should continue to serve in the field in a country like Burma, where you are seeking to promote an ambitious programme of social and economic development, provided that the appointment of generalists of high calibre at both the regional and district levels is used to facilitate delegating as much power as possible from the centre. If this is not done, congestion at the centre is almost certain to occur with delay and frustration in the regions and local areas as a consequence."

The question has, however, arisen as to the extent to which an administrative generalist can or should co-ordinate all the technical and professional departmental representatives functioning in his district. Besides his role as a co-ordinator of the central government activities at the local level, the extent to which he should exercise his supervisory function over the legally elected representative local bodies deserves careful scrutiny.

In any study of the machinery of local government the controversial problem of the role of the chief executive officer always assumes paramount importance. To what extent should he exercise the executive and administrative authority? In regulating the general affairs of the district what is his role *vis à vis* the elected councillors? Some would favour the fixing of legislative and policy authority

in the council and the fixing of administrative and managerial authority, and all that is implied thereby, in a chief executive officer responsible to the council. According to this school of thought the concept of adequately empowered managerial authority responsible to a policy-deciding body, not for administrative procedures and details but for programme results, is the greatest single contribution to the field of administration that has emerged in the past century. Is this managerial system of local government acceptable in young democratic countries where political talent is very much limited and there is a strong tendency for the politicians to have a hand in every aspect of administration? At the village level where it is not possible to employ any permanent administrative staff other than perhaps the village clerk, members of the councils must be expected to direct the administrative activities of their respective bodies. At higher levels, it seems, the concept of having council members direct administrative activities has little to recommend it. On the other hand, if the elected representatives of the council are concerned only with the major policy matters and nothing more it would reduce democratic control to a minimum, and the co-operation of the public in various welfare activities, which is the main purpose of decentralization, will not be forthcoming.

The Role of the Ministry of Local Government in Southern Rhodesia[1]

Functions

The basic function of this ministry can be outlined by paraphrasing paragraph 136 of the Robinson Commission Report.

"To gain appreciation of Rhodesian difficulties; to assist and protect the interests of the Rhodesian who is not yet able to accommodate himself to a new and complex environment and to act as his confidant; to voice Rhodesian opinion and grievances to the Government; to explain underlying reasons for Government policy and generally to serve as a link between the Rhodesian people and the Government".

I have used the term Rhodesian there because this applies equally to all Rhodesians, whatever their race, colour or creed. The European needs assistance in agriculture as well as the African. Urban Europeans require assistance just as the Africans require assistance in their townships. The assistance may be of a different order but it is of the same kind. The agrarian and industrial revolutions are hitting all Rhodesians, some harder than others, but the public service is there to help them in the complexities of this changing world.

The services that the Town Planning Department gives are as important to Europeans as they are important to Africans; the services are for Rhodesians and for a Rhodesian future. As the urban administration brings the assistance of other ministries to the urban communities, whether they be European or African, so the rural administration brings the help of these same ministries to the rural population, whether they be European or African. As rural communities develop they become townships, transferred from rural administration to urban administration within the one ministry.

All these functions listed in this first paragraph above are functions which involve the use of sapiential authority and not structural authority. To quote the Mangwende Report:

"Principal liaison officers between the local people, the administration and the special agencies operating in their districts; not themselves involved in contentious issues or other specialized functions, and therefore able more effectively to reconcile, guide and co-ordinate the diversity of often conflicting views, interests and ambitions which have a direct bearing upon the happiness and development of the (Rhodesian) communities".

The Ministry of Local Government is there to advise and help and not to force. It is for this very reason, as I propose to show, that there should be, in this ministry, no element of structural authority *vis-à-vis* the population. *Auctoritas* and *potestas* must be centred elsewhere. 'Maternalism' must replace 'paternalism'; the mother surrogate protects, advises, encourages, acts as a link between her child and the all-powerful figure that is the father surrogate. As the Secretary for the present Ministry of Local Government put it to me:

"The Local Government Act is designed to assist communities to develop and stand as adult communities, free to govern themselves as municipalities do".

[1] This is reprinted from Chapter 24 of the First Report of the Commission of Inquiry into the organization and development of the Southern Rhodesian Public Services, prepared by the Commissioner, Mr. T. T. Patterson, 1961; pp. 284; 10s. 6d.

Legislation

To my mind, this is the essence of growing political consciousness in the sense of the Greek use of the word *politikos*, in responsible membership of society. The essence of the Native Councils Act is almost the same, and I can do no better than quote from Circular No. 280 from the Office of the Chief Native Commissioner in March, 1958:–

"The primary purpose of the Act is to educate the people in local administration and responsibility on democratic lines. To do this there emerges (*a*) the provision of services, and (*b*) the control of these services. (*b*) is much the more important lesson. The more these services can cater for genuinely felt needs, administer to the pleasures and amenities of their lives and evoke a real public interest the greater will be the educational effect on the council and among those who elect the councillors. Modern English local government developed out of sanitary functions and we are steeped in the tradition of councils doing dull and unpleasant things no one else would do. If the African wants to organize or inspire his folk singers, dancers and musicians, to weave a pattern of life he values, encourage him. This approach is fundamental and it finds its statutory roots in the key words 'community', 'citizenship', 'initiative', 'responsibility' and 'active participation', not only determining whether any service should be undertaken but serving as the paramount objective of the native commissioners' influence in African local government".

"In the field of local government, which is simply organized self-help, the native commissioner's objective is not to produce better roads or pumps, or other signs of progress, but to produce better citizens, to educate the community, to stir up the communal will and ability to discuss its own needs, solve its own problems and feel that the results are really the community's own achievement. This is the true significance of council work – an intangible change in the spirit or psychology of the people which is, in the long run, far more important to material progress."

"This approach will be slow, maybe very slow and unproductive, from a material standpoint. No spectacular results are expected. There is no call to force the pace and so, maybe, paralyse the will and the understanding of the people. In case one's time perspective is out of focus it is as well to realize that decades, not years, are involved, and that in England, in spite of three cholera epidemics and the public health movement against the 'dirty forties' which set up local boards of health in 1848, a royal commission twenty years later reported that reforms were impossible in the face of public hostility, and seventy-five years later another such commission was appointed to inquire into the low sanitary standards of rural areas".

The circular goes on, talking about the role of the native commissioner:

"He is an advisory agent inside the council with no vote so he has no power to impose functions on or even unduly influence the council, but if, as president, he has no power to say What Shall be Done, he has plenty of control over How Things Shall be Done, not only as regards the ability of African chairmen and the use of committees, but with respect to the whole of the executive staff and this is fundamental to the emergence of a real local government service".

"The native commissioner has a duty to the Government, upon which rests the ultimate reponsibility for the good government of the country, to watch over the quality of the work of councils; to ensure that they conduct

their affairs in a businesslike manner, free from abuses and corruption and within the framework of the Act; to place continually at their disposal the knowledge and advice which they lack; and to make sound recommendations to this (head office) for the financial assistance, through plants and loans, which they deserve."

It will be observed that the whole concept behind the Native Councils Act is one of local government; and the essence of this central theme of the Native Affairs Department is local government. I see no reason at all, therefore, why what is left of the Native Affairs Department should not be joined up with the Ministry of Local Government.[2] The two central Acts around which they fulfil their major number of functions are designed precisely to the same end.

Accordingly, I recommend that the word 'native' insofar as it is used adjectivally in the naming of Acts, Statutes, Boards and similar bodies, be removed, and in its place the words 'local government' be substituted. The Native Affairs Act would become the Local Government Affairs Act, the Native Development Fund would become Local Government Development Fund, the Native Land Board would become Local Government Land Board, the Native Advisory Board would become Local Government Advisory Board.

Similarly, I recommend that consideration be given to the repeal of the Native Councils Act and of the Local Government Act and the substitution of these two Acts by one which combines the basic elements of both to provide a framework of reference within which this Ministry of Local Government can act. I am informed by the Attorney General that the framing of an Act of this kind would be a comparatively simple matter.

By this generalization of the procedure in local government, the administrative difficulties due to the differentiation between European, native purchase areas and reserves would disappear. The Act would allow for a different approach in those areas where there is individual tenure of land and those areas in which there is communal tenure.

In the Native Councils Act there are many beautifully framed provisions designed for particular application in the latter situation; but there are dangers in being too specific. For instance – and I am quoting from the circular already mentioned:

> "In our Act, and it is its distinctive feature, there is a statutory assignment of separate responsibilities (referring to the council and its executive the council officers) who have tried to avoid any blurring or responsibility with its consequent evasion and excuses. To the council are assigned questions of policy, decisions as to what shall be done and the raising of funds, while independent responsibility is assigned to all officers and in particular to one man, the senior council officer, for overall administration and management. *These officers are directly responsible to the Government as well as to the council for the proper discharge of their duties.* The aim is an efficient local government service on the hypothesis that a poor council with efficient staff is much more effective than a good council with a poor staff."

I am concerned with the implication in the sentence in italics. An officer cannot have two masters; he cannot be responsible to the council and to Government at the same time. I should imagine that the perspicacity of the officer or officers

[2] The Southern Rhodesia Government announced on the 30th August that the Ministry of Native Affairs would go and that there would be a new Ministry of Local Government and Internal Affairs – *Ed.*

who framed the Native Councils Act could very well be put to use on the framing of the new Act.

The Local Government Act, 1961, is designed to provide a form of local government in areas below the status of a town management board. These town management boards and municipalities are catered for in the Town Management Act, 1953, and the Municipal Act, 1952. In the Local Government Act, 1961, two types of authorities are provided for, a local committee which will replace the village management board and the local board. On the formation of these local committees their functions will be somewhat prescribed, but through an administrative process with the Governor's approval, further rights and functions will be entrusted to these boards. In this way it is envisaged that local government will be extended, not only in the urban African areas, and smaller urban settlements, but also into the rural areas in the form of *rural district councils*, which might ultimately replace such statutory bodies as road councils and intensive conservation area committees.

In my further discussion of these councils and their relation to the Ministry of Local Government, I shall refer to them as rural district councils.

Much of the work of the present Ministry of Local Government is concerned with municipalities and town management boards and I consider there is a proper division of functions in this ministry between what one might call rural administration and urban administration, where the latter is concerned with municipalities and town management boards. As rural district councils expand and form townships, then there would be automatic transfer of these townships to the sphere of authority of the urban administration as distinct from the rural.

This is a process that is going on rapidly all the time. The number of town management boards has nearly doubled over the last ten years and, in addition, the area of jurisdiction of most authorities has been extended considerably. This pattern of development will certainly continue at possibly an increased rate as a result of new legislation. Just as the Native Affairs Department finds difficulty with the native council staffing so does the present Ministry of Local Government find that there is an absence of trained local government officials and a paucity of experienced citizens to serve as elected members. I see no reason at all why some of the courses envisaged by the community development experts should not be thrown open to members of these township areas who contemplate becoming officials.

Inter-ministerial relationships

In European areas where the concept of local government is well developed, farmers and others know what they want, when they want it, and how they want it. They are, therefore able to go to the representatives of particular ministries to get that help which comes from the public service. This is not the case in rural Rhodesia where these needs are not apparent, nor is there knowledge of what can be got out of the public service in the way of advice and assistance.

Aware, as they are, of the value of helping the rural Rhodesian, these ministries cannot descend upon the Rhodesians just as they will; there has to be some form of co-ordination of the advice and information that is given. The rural district council is one medium through which this advice and information can be channelled and it is the rural district council which decides how that advice and information may be applied, where it can be applied, and to what

extent – the essence of local government. There are areas in which the element of local government is the village itself, with its headman. It would be an impossible situation if the Ministry of Health decided to build a clinic in this village, the Roads Department decided to put a road through this village at the same time, the water engineers decided to build a dam behind it, and the agriculturalists decided that this was a fine place to put up a local committee for disseminating the good news of agriculture. None of these departments would have any proper knowledge of the social needs of the community as well as their other material needs. For the development of these needs, and the expression of these needs, it is presumed that the community development system is to be implemented.

For many socio-economic reasons it may be necessary that a road into a district would best be put to serve certain villages and be built at a particular time – say, perhaps, before the water engineers came along to build a dam that would be necessary for another village. There has to be co-ordination of effort in assisting the rural Rhodesian. This co-ordination is first established at provincial level; it is a co-ordination of policy in execution. It would be a duty of the provincial secretary to call a meeting in order that there should be this co-ordination. It should be a duty placed upon the provincial heads by their ministries that they attend such a conference in order to have co-ordination; because only by co-ordination can there be a maximum of efficiency in applying the broad policy that is originally governmental.

This conference is a conclusive conference; that is to say, the members come to a conclusion, not only that something can be done within the broad policy handed down to them each from his own ministry, but they can conclude what is a good way to go about it. They would still retain the right to decide whether they do it or not according to their conclusion. The provincial secretary cannot order them to act upon this conclusion but, in the interests of the total service and its function of serving the people to the best advantage, the various provincial officers would feel, not only expectation, but at least an imperfect obligation to act upon such a conclusion. This co-ordinated provincial policy in execution is then handed down to the district level, or the appropriate executive level.

At the point of contact with the people who need assistance, the community development officer helps the people to express that which they feel they want, the people have a freedom of operation in deciding what they want within the framework of what is available to them and what they would be allowed to do. Having established what is needed, the district officer can inform his opposite number from other ministries that such and such a piece of assistance is wanted at such and such a place. He is, in effect, saying to the member of another ministry at this level, "If you are to fulfil your function in terms of the provincial policy handed down to you by your provincial officer, you must do this at that particular place." It is not a command or order, it is the hypothetical imperative. The district secretary may so couch his communication that it is only the injunction: "You ought to do so and so in such a case." The district representative of the other ministry then has the right to decide whether he does that or not, but he knows full well that this advice and information is in the light of the provincial co-ordinated policy. That is to say, the relation between the district secretary or the development officer or the community development worker to the appropriate members of other ministries is one of advisability and informability.

If, for instance, the agricultural officer, having received this advice and information from the district secretary, did not act upon it, and the result was failure in application of the co-ordinated provincial policy, then he would suffer retribution at the hands of the provincial agriculturist who so ordered that he carry this out. Similarly, if the agricultural officer felt that the district secretary had not given him advice and information in terms of that policy, then the district secretary would have a visitation upon him from the provincial secretary. Each, since they are related in advisability, has the right to choose whether he acts upon that advice and information or not, but each knows that if the advice is couched in the hypothetical imperative, and is therefore based upon sapiential authority of the appropriate degree, then he should pay particular attention to whether he follows it or not.

Since the intrusion of a member of a ministry (outside local government) without previous warning to the local government officer involved, might precipitate some form of crisis owing to the ignorance of that intrusive member, then it follows that the local government officer has the right to be informed of that approaching intrusion. He can, therefore, thereafter advise the potential intrusive officer whether or not that intrusion is likely to cause harm or good. The intrusive officer still has the right to choose whether he comes in or not, but if harm ensues, then he must bear the responsibility for it. In the same way, if he does not inform the local government officer and goes in, then he must bear responsibility for whatever happens. If, contrary to advice and information received, he takes action, and the result is not in accord with that planned in the provincial co-ordinating policy, then he is likely to suffer a considerable degree of retribution.

This is always the difficulty in the process known as 'secondment' as, for instance, in the present case of land development officers who are seconded from the Department of Agriculture to come under the *control* of the native commissioner even though the Department of Agriculture is part of the Department of Native Affairs. They were seen to be, and they thought themselves to be, distinct. The land development officers regard themselves also, in the main, as members of a department distinct from that of the native commissioner. Being seconded, it was not clear who was the manager – the one who could wield structural authority. The native commissioner thought that he had the right to command and to control, and that the land development officer was within his sphere of authority. The agricultural officer thought that the land development officer was in his sphere of authority, and only within the field of influence of the native commissioner. The native commissioner was given the right to order the land development officer where he wanted him, and even to order what he wanted. Because of his sapiential authority, the land development officer did not like the second part; though he did not object to the first since he had been 'seconded'. That is to say, he did not mind being told where and when he would work, but he objected to being told what he should teach or help with.

There should be no secondment in such a situation; the relationship should remain advisability. Within the recommended structure, given the provincial co-ordinated policy, the group agricultural officer and the district secretary should make their own particular arrangements in co-ordination of their efforts, the officer to supply to his men the know-how of agriculture and the method of teaching, the district secretary to supply the knowledge of where and when this could be best used and the kinds of social and economic difficulties

that would arise. The district secretary cannot command, he can only advise; but his advice, if within the framework of the policy set out at provincial level, would be difficult to avoid acting upon. Similarly, the provincial and district secretaries have the right to call upon members of other ministries to help them in helping the population. But they have no right to decide these other persons' operations, and they can report only upon the functions of these officers, not upon their operations. The report upon operations must come from one who is capable of gauging properly the working of these functions.

Local government and the community

We now arrive at our fundamental argument which affects, in particular, the structure of the Ministry of Local Government. The public service lies between government and the people. It has, in effect, two roles, firstly as a tool of government and, secondly, as the servant of the people. The two roles are not contradictory in that, at one end of the structure the role towards government is quite clear, and at the other, the role towards the public is quite clear. The point of impact between the public service and government is at the apex of the 3-committee where the secretary, or head of the ministry, must be orientated upwards seeing himself in support of the minister. At the other end of the scale, the public service must be orientated downwards, seeing itself in support of the people, serving the people. Just as the point of impact at the top level is vital, so the point of impact at the bottom level is as vital. It behoves us, therefore, to look at this lower point of impact in considerable detail.

As we have territorial government at the very top, we have local government at the very bottom: the public service lies between.

A first principle to recognize is that the public service serves the public; therefore, the public servant cannot order or command, that is, use structural authority to the public. No other profession commands the people whom it serves; the people have the choice. It is commonly said that a doctor gives 'orders'; these are not orders, they are a form of the hypothetical imperative. He says in effect, "You must do this if you are not going to become ill". The patient has the right to choose whether he follows this hypothetical imperative or not. The public servant can say to the public, "You must do this if you are not to be punished by the law", the law being represented by the Police or by the Attorney-General's Office. Justice exists to protect the public from maladministration of the law. The Attorney-General's Office and the Police exist to see that the law is obeyed, for the law must be obeyed if people are able to live together. Immediately a public servant takes upon himself the right to use the categorical or the parenthetical imperative, then he is assuming the mantle of the law, he becomes an arm of government. This is one reason why native affairs in the past was regarded as 'a government within a government'. As a department, it gave orders; it assumed structural authority – a form of 'paternalism'.

This does not mean to say that the native affairs officials were not, in the first place, inspired to assist those whom they served, being servants; it means that they did not have at their disposal the wherewithal to persuade, convince their people that their advice and information should be acted upon. In so very many cases in the past the 'good' native commissioner achieved tremendous success; but the very word 'good' implies that he was using sapiential authority, using the hypothetical imperative and the injunction and not the categorical.

He cannot be used as an 'enforcement' officer; and now I quote from a submission to the Robinson Commission from Mr. Posselt, an ex-native commissioner. The district secretary

> "is the officer generally representative of the central Government at the local level and, as such, the officer to whom any one can turn, without any fear of the consequences, to find out what government policy is, to complain or comment upon its manner of execution, either in commission or omission. He will create the necessary liaison and co-ordination between the various executants of this policy within his district and he will be the 'eyes and ears' of the Government within his district".

By placing upon the native commissioner in the past the burden of 'enforcing the law' the government placed him in a most invidious position which brought about, not only trouble in the districts, but also trouble in the native commissioner himself. Wanting to serve and to succour, wanting to practise 'maternalism', he was forced to order and command, to use 'paternalism'.

> "Administration is not the execution of ready-made plans and regulations of government but the transfer and translation of the intentions of government into social, cultural and physical conditions of the area where they should be executed. He must have the means at his disposal to help the community and community development is a method and a process to mobilize the human, financial and physical resources to meet basic needs by combining the effort of government and people. The administration must have authority to remind people of their responsibilities and the means to help them fulfil them when they give evidence of serious attempts to organize themselves".

In societies in which local government has been developed over some time the relationship between local government and the public service is quite clear. The district council governs its own community within the broad framework that is the law of the nation. Its broad *function* is specified by the nation, its *operation* is its own responsibility, a self-responsibility. The council works out for itself how it, the community, shall operate within this framework, within the freedom which is given by that framework, a freedom necessary for adjustment for every particular local situation. Such a district council then sees the public service as a body to help it. It has its own committees, specialized in certain fields, and these committees can seek help and advice from the public service as they require it. A road council seeks advice from the Roads Department; an I.C.A. committee seeks advice from the Agricultural Department; a municipality seeks advice from the Irrigation Department on its water supply; it even gets help in order to build it. The council knows that it can have help, and the help is there for it – within the framework of the law, within which the public servant must, of necessity, also act. There is no need for co-ordination of this help. The community council knows what it wants, and knows where to go and get it. It sets up its own by-laws for regulating the behaviour of its own inhabitants within their sphere of authority, by-laws which are within the broad framework set by government, and which can be enforced; it may have either its local justice of the peace or it can take the matter to a magistrate. And always encircling it is the public service waiting, ever ready, to serve it.

In this context the community can be seen as an enterprise with purpose, functions to achieve that purpose, and a structure of function. It is a social group of people who have contracted to come together to achieve a common goal (which is survival), and it establishes its own rules and regulations, and that which is proper to achieve the goal. Each member has contracted into the

community as an enterprise represented by the council. They bind themselves to obey, for only in so behaving properly can they achieve the goal. The council is the manager of the enterprise and so has the right to punish, or bring to punishment, any member of the community (enterprise) who fails to fulfil his function in achieving that work. Each member of the community has freedom in operation in fulfilling his function, but through this local law, the common law, he sees this freedom in self-responsibility, of personal operation within the duty to the community.

Similarly, the community, as an entity, can be seen as a member of a group of communities that make the nation. Their by-laws are within the framework of the national law, yet, as an individual member, the community has freedom to decide its operation provided that freedom is within the national law, and therefore the community fulfils its function to the nation. In other words, a person, through the community itself, not only sees his personal freedom in operation in duty to the community, but he sees also his personal relation to the nation in the freedom of operation that is the council. What I am saying is that it is through the community that the person sees his belonging to the nation.

It is difficult for an individual to recognize how he is part of a large body politic with which he cannot talk, discuss, and make contracts. It is difficult for him to see that a vote for the national Parliament is, in effect, the signature to a contract to obey the national law through which a nation can survive. The concept of the nation is an abstraction that is difficult to grasp.

Hence, it is through local government that members of a nation become aware of their nationhood. It is through their freedom in operation, through the local government, that they can become aware of their duty to the nation. They cannot appreciate a forest unless they first know what a tree is.

This is what I meant when I believed that the Ministry of Local Government has this enormous and most important task; by fostering the concept of local government it fosters the concept of nationhood; it builds a nation of people who have contracted to live together as a nation.[3]

The essence of this system is that the national law is such that the local people have freedom of operation within it. There can be no freedom if the national law specifies what the people shall do in so detailed a fashion that there is no freedom of action. There can be no self-responsibility and, therefore, no responsibility to government, and so to the nation. There can be no sense of contract. In an enterprise, a person contracts to fulfil a function; within limits, he is allowed freedom of operation. It is in this freedom of operation in the duty that is function, that a person becomes aware of himself in terms of his relation to the whole. Take away this freedom and then he is no longer a man, he is a machine. If a law is so specific that the people are not allowed freedom of operation within that law, then that law is tantamount to making these people feel that they are not being regarded as human, and so self-responsible; and, therefore, they will reject the law, being men; they will rebel or leave the nation.

There is much more that can be said on the sytem of relations, and so communications among district secretary, community development officer, agricultural officers and their staff, rural district councils and their staff, chiefs, and officers of other ministries. To report on this would require as much space as the foregoing part of this Report.

[3] The 1961 Cambridge Conference on Local Government in Africa also suggested that the establishing and strengthening of local government institutions is one of the best ways of sustaining national unity in independent African countries (p. 16). *Ed.*

The Institute of Administration, Zaria - I

'*NORTHERNIZATION*' – 1954-1961

by M. J. Bennion[1]

When the idea of the Institute was conceived by the Hon. Premier, who was then also Minister for Local Government, Northern Nigeria was faced with the following situation:–

(*a*) Independence was clearly only a few years away;

(*b*) there were virtually no established Northerners in either the senior or the junior sections of the Civil Service. This was in no way due to any lack of innate ability in the 'northerners,' but to historical reasons. In general the senior posts were held by expatriates and the junior by 'southerners';

(*c*) educationally the position was unpromising. There was a reasonable output from the primary schools, but the secondary school output was completely inadequate to meet the needs of the country. There were very few school certificate holders and far less degree holders. Of the degree holders most had been trained for professional posts, such as engineering;

(*d*) a policy of modernizing the local government institutions was being initiated. Many innovations were unfamiliar to the people, of whom very large numbers were soon concerned. By 1957 it was calculated that at least 30,000 were engaged in local government activities at district council level and above.

In the light of this the Northern Nigerian Government decided as the first priorities (for the Institute):–

(*a*) to train Northerners to take over all posts in the clerical service;

(*b*) to familiarize local government staff and traditional elected members of the new local government system with procedures and principles;

(*c*) to train Northerners to take their place in the 'key' Service – the Administrative.

It was clearly impossible to achieve this programme without a temporary relaxation of the educational entry-points. To take two examples:–

(*a*) in most countries school certificate was regarded as the minimum entry-point for the clerical service;

(*b*) an honours degree was normally required for entry into the Administrative Service.

Had regard been paid to these criteria, there could have been no effective Northernization for several years – that is until the revised education programme had produced the necessary output.

Upgrading of Institute

At the same time it was always intended to raise the standards of entry as soon as the general staff situation and the improved educational output permitted. In accordance with this intention the Ministry for Local Government and the Principal of the Institute in 1959 drew up plans for upgrading the Institute. The Government was successful in attracting American aid to the extent of

[1] Mr. M. J. Bennion, C.B.E., was the Principal of the Institute from 1957 to 1961 and is now occupying a similar post at the Institute of Public Administration in Nyasaland.

£1 million to finance this project and the expansion of local government courses in the provinces. By 1961 all preparations for upgrading had been completed; the timing was correct, since it was in that year that students with the required educational qualifications first began to come forward in sufficient numbers.

Even in the interim period it had proved possible to introduce higher courses, such as the law course and the executive grade training course, by making special arrangements.

During this period the Institute was also able to meet the special needs of the country as they arose. Examples of this are the integration of the co-operative courses and the training of very large numbers of judicial staff in the new penal code. Though it was not an easy matter to hold so many courses in the same place, there were very marked advantages to the Region; in particular, overheads were greatly reduced and the number of administrative and teaching staff was always far less than would have been necessary if the courses had been held by several different organizations.

The enrolment of teaching staff was always extremely difficult in view of the financial position and the many claims of other bodies on the services of available men. In general the policy was to fill those posts not filled by secondment or recruitment from Britain by turning 'star' students into instructors. If this had not been done, it would have been impossible to find enough staff to meet the Region's needs. Every effort was made to turn them into good teachers by the holding of regular seminars in teaching methods. These were conducted by officers on the staff seconded from the Ministry of Education, and were attended by all teaching staff from the Principal down.

The Administrative Service training course[2]

The Administrative Service training course raised separate problems of its own. In the first place the Administrative Service since 1940 had been very seriously under strength – often from 20 per cent to 30 per cent; next it had to be assumed that in the years before and after Independence there would be a large exodus of expatriate administrative officers. (This has since proved to be the case.) Lastly, it was not possible, politically and from the aspect of the staff situation, to hold courses lasting longer than a year, though the candidates would not normally be above the school certificate level, and very often below that.

In this situation it was decided to select men of experience and outstanding character, largely disregarding educational qualifications, and to use the year available to train them to become assistant district officers in the provincial administration. Because of the limited time and the need to make up basic educational deficiencies, there had to be priorities. While the bulk of the syllabus covered technical subjects, a certain amount was devoted to leadership. In the period under review, leadership, civics and ethics generally were concepts widely recognized and accepted as part of training. The time left for the office management side was accordingly limited, so that the product of the course was not as well fitted for a desk job as one would have wished. Nevertheless, from 1957 to 1961 the A.S.T.C. put 100 men into the field; they generally did good provincial work and it is difficult to see how the Administrative Service could have continued to function without them. The A.S.T.C. was always regarded as a temporary expedient, to be continued only so long as the general

[2] The next article describes this course in detail.

staff situation demanded and there were not enough students available for higher and longer courses. It was possible to replace it in 1962, when the first diploma course in public administration began. This is a two-year course carrying an internationally recognized qualification as a university course – one of the first courses to be conducted by the new Ahmadu Bello University.

Conclusion

Throughout the period under review the Institute was an instrument for carrying out government policy; it was never itself a policy-making body. It dealt with the situation as the times demanded and it served its purpose for those times. Its justification is found in the present Civil Service of Northern Nigeria – effectively northernized and functioning well indeed when the situation only eight years ago is considered. The special needs with which it was designed to cope have largely passed away and it can now devote its energies to the higher functions which were always intended and were planned well in advance of the time. Throughout its first seven years of life the Institute was always a coherent and logical whole and each forward step, including the present long leap forward, has been part of a coherent and logical plan. Both the policy and the conduct of affairs in carrying it out have been warmly praised by a long series of highly competent commissions and individuals and have been endorsed by authoritative articles in the world press, including the London *Times*. The Institute has since become the model for several similar organizations in other countries of Africa.

The Institute of Administration, Zaria - II

How Northern Nigeria has trained Administrative Officers

WHATEVER mankind's endeavours in the search for orderly government, the basic factor in any successful government is contained in its administrative machinery.

This article[1] relates the story of the attempt of the Government of Northern Nigeria to build her indigenous administrative corps from an inherited colonial service. It is the story of a successful attempt to reconcile high standards of competence and disinterested integrity with a gratefully inherited tradition of skilled but largely personal administration. In the words of the Premier of Northern Nigeria, Alhaji Sir Ahmadu Bello, Sardauna of Sokoto: "The standards of administrative service in Northern Nigeria have always been high and we do not intend to see them lowered."

In Northern Nigeria there are administrative officers with varying designations. In the field there is the hierarchy of assistant district officer; (the rank of 'cadet' has now been dropped), senior district officer and resident, while in the ministry there is the pyramid of assistant secretary, senior assistant secretary, under secretary and permanent secretary. Each of the region's thirteen provinces – the smallest 9,466 square miles and the largest 45,733 square miles – has at its head a resident who is directly responsible to the premier's office in Kaduna for the overall administration of the province. Kaduna, as the Capital Territory, is *sui generis* and is run by an administrator (he is of senior district officer rank) and two assistant administrators. Each province is also given an establishment, depending on its size, of lesser administrative officers who are directly responsible to the resident. The senior of the administrative officers are posted as divisional officers in charge of the four or five divisions into which most of the provinces are divided, while the junior ones help them or are assigned as touring officers to outlying districts. These administrative officers, from the resident down to the assistant district officer, are the representatives of the regional Government, always in close contact with the native authorities, to whom they act as government advisers, and with subordinate councils at district, town and village levels. They are the eyes and the ears of the regional Government; they are at times also its mouth. They make available their expert administrative advice to these local government bodies and pass to them the government directives formulated by the Executive Council, made up of elected ministers, in Kaduna.

How it began

In October 1957, a new and most interesting venture began at the Institute of Administration, Zaria, Northern Nigeria – the Administrative Service training course.[2]

[1] This article is based on a booklet by A. H. M. Kirk-Greene, *How Northern Nigeria Trains Its Own Administrative Officers*, Government Printer, Kaduna, 1960, and is reproduced by kind permission of the editor of *Northern Nigeria News*, which recently summarized it.

[2] For more detailed analyses of this training course attention is drawn to two papers by A. H. M. Kirk-Greene – "An Experiment in Administration," *Corona*, August, 1958, and "A Training Course for Northern Nigerian Administrative Officers," *J.A.A.*, April, 1959 – and to an article by a special correspondent in *West Africa*, May 10, 1958. See also "A School of Administration in the Anglo-Egyptian Sudan," by T H. B. Mynors, *J.A.A.*, April, 1950, for an account of earlier training courses.

What is the background to this experiment? With a succession of constitutional conferences and the steady march towards self-government it became inevitable that it would no longer be possible to offer the hope of a full-spanned career in Nigeria to candidates nominated by the United Kingdom Secretary of State for the administrative branch of the Overseas Service.

Of equal importance, there was the Nigerian side of the question to be considered. As far back as 1954 a Nigerianization committee had observed how the predominance of imported officers in the senior ranks of the civil service seemed to large numbers of politically-conscious Nigerians to belong to a past political order, and to be out of keeping with recent political advancement and irreconcilable with political aspirations. The committee had gone on to argue that a country could be self-governing if its senior ranks were largely expatriate provided that they were diminishingly so:

"Given the right spirit on all sides, a predominantly expatriate service can, over a period not unreasonably long, be an effective instrument of administration in a self-governing Nigeria, and can, at the same time, be an effective instrument in its own liquidation, which is indeed one of the duties imposed on it."

It was therefore doubly imperative that an indigenous civil service should be built up. The peculiar structure of local government in Northern Nigeria had already developed a competent, responsible body of native administration civil servants, while the accelerated output from higher educational institutions had, during the last few years, begun to find its way into the professional and technical departments of the Government; yet, apart from a handful of assistant secretaries, in 1955 there was not one Northern Nigerian in the Administrative Service.

The Executive Council, the policy-making body of the regional Government, was acutely aware of this gap, and with the establishment of the Northern Public Service Commission in 1954 the process of northernization really got under way.

First indigenous ADOs

Thus it was that between mid-1955 and late 1956 eleven Northern Nigerian assistant district officers were appointed by the Public Service Commission. They were all direct appointments: that is to say, the appointees' sole training consisted of the experience gained in their previous jobs, mostly in the junior service hierarchy of government departments.

In 1957 a further five such appointments were made, again largely from the cream of Northern Nigerians serving in lesser government posts. Since then more than half of this later intake have attended the Overseas Service courses at Oxford, Cambridge or London, while many of the first batch were attached to hand-picked district officers in the provinces for highly personalized in-service training.

This was in keeping with the Lidbury Commission's dictum that responsibility is the most effective of all teachers and the essential point, if an officer has the necessary quality, is his employment as early as possible on responsible work.

But more than this was needed, for, platitudes apart, an efficient, impartial, enthusiastic administration is a *sine qua non* of any technical development.

Then came March 1957, when a report was laid before the House of Assembly. It emphasized the continuing and responsible role of the administrative

officer in a self-governing Northern Nigeria. If the Administration collapses, chaos will ensue and there will be no scope for departmental officers. In this report lay the birth of the Administrative Service training course for Northern Nigerians, for the Executive Council took immediate action on this recommendation of the Special Commissioner:

"Africans of the normal university graduate academic qualification are not yet available in anything like the required numbers. Therefore I suggest that there is a strong case for selecting the best young men for training as administrative officers. This recruitment should be given priority by the regional Government . . . Concentrated local training courses should be provided for these recruits as well as short courses in the United Kingdom . . . To build up a local Administrative Service is one of the major problems, and some may say the most important problem, before the regional Government".

In June 1957, the Public Service Commission called for applications and in October of the same year the first Administrative Service training course of its kind in Africa opened at the Institute of Administration at Zaria.

The training course[3]

This high-calibre course was specially designed for Northern Nigerians who are potential administrative officers. During its 45 weeks – which are divided into three academic terms – the students take as principal subjects, law, public finance and economics, local government, English and administrative techniques. Lectures are also given on the political, social and economic history of Nigeria, comparative religion, political theory – and on the work of the various economic ministries by their headquarters and field officers. Students are expected to devote a number of hours each week to academic assignments during their out-of-class time. Considerable attention is given to seminars and group reports, and emphasis is placed on the tutorial system.

The practical side of this course includes six weeks' attachment to a division as an administrative cadet, local expeditions, and instruction in field engineering, map-reading, field sketching, vehicle maintenance and first aid. In order to prove leadership qualities and other characteristics essential in an administrative officer that cannot be assessed in the lecture room, all students attend a Man o' War Bay Course. They are also expected to take part in games and in the extensive extra-mural activities of the course.

A voluntary course for the wives of the students, concentrating mainly on hygiene and literacy, is run by the adult education authorities and has proved popular and helpful.

As is to be expected, the training course is open only to Northern Nigerian candidates (age 22-30) who have at least the West African School Certificate or an equivalent grade in the General Certificate of Education (6 passes at ordinary level), but who have not obtained the university degree which is the standard requirement for admission to the Administrative Service. In exceptional cases consideration is sometimes given to candidates holding lower qualifications who have acquired additional relevant qualifications, and have also supplemented their education by substantial administrative experience (up to the level of a 'pass' on the assistant executive officers' training course) in government or native authority service or commercial employment.

The qualifications demanded from candidates include a record in their

[3] This description of the Administrative Service training course was written before its replacement by the first diploma course in public administration towards the end of 1962.—*Ed.*

previous current employment of capability, integrity, energy, responsibility, initiative, adaptability, and the ability to work under conditions of sustained stress, both physical and mental. A very high standard of English is essential. The course is residential, but no tuition fees are payable as yet.

Admission to the course is through application to the Public Service Commission in reply to public advertisements of vacancies, and the commission provides the interviewing and final selection boards. Students who obtain a pass grade in the terminal and final examinations, together with a satisfactory report on the Man o' War Bay course, taken into consideration with their conduct and work on the course as a whole, will be awarded a class 'A' pass on the recommendation of the Public Service Commission, and are then eligible for appointment as administrative officers in the Northern Regional Public Service (Scale A1). A class 'B' pass entitles a student to consideration for appointment in the executive grade. Other students return to their former posts.

Principal subjects

In addition to the vital instruction given on one six weeks' divisional attachment, where one student actually performs the work of an A.D.O. under the personal supervision of one district officer and gets to grips with provincial administration, and one character-building month at the Man o' War Bay (Outward Bound) School, the principal subjects[4] studied are as follows:-

Law

The syllabus covers the papers required for the confirmation examination of the administrative and police officers. Thus it may be possible at some stage for students on the Administrative Service training course to sit this obligatory examination before they graduate from the Institute.

At present all administrative officers are required to pass an examination in law to qualify them to sit as Magistrate Grade III. Certain of the ordinances are dealt with in their respective ministry lectures, and the Native Authority Law, 1954, is handled under the local government syllabus.

Practical periods include moots and mock trials, a visit to a magistrate's court, and mock sessions of a coroner's court and a provincial wages board.

English

Since English shares with Hausa the role of being the official language of Northern Nigeria and ministry correspondence and business at all levels throughout the Federation is carried out in this medium, a high standard of fluency in comprehension and expression is required. The syllabus seeks to secure an improvement in grammatical accuracy and graceful self-confidence in spoken and written English without endangering the enjoyment of the English language.

Administrative techniques

This valuable innovation is conducted both practically and along the lines of the TEWT or role-playing model. Use is made of assembled data on an imaginary province. The syllabus has three divisions: the administrative routine of divisional officer; office management and secretariat procedure; social *savoir-faire* and 'senior service' etiquette and morals[5].

[4] A table summarizing the syllabus is featured as an Appendix.

[5] See the article on 'Administrative Techniques,' by A. H. M. Kirk-Greene and J. H. Smith (both at one time Supervisors of the Administrative Service training course at Zaria), published in *J.L.A.O.*, Vol. 1, No. 3, July 1961, p. 164.

Public Finance and Economics

The aim here is to impart a background appreciation of central government finance and a more intimate knowledge of native authority finance, so that a newly-appointed assistant district officer may find himself capable of fulfilling all the financial duties required of an administrative officer in the provinces. This is of growing importance now that native treasurers themselves are attending the advanced diploma course in native treasury accounting; this means that the assistant district officer, if he is to be of any help at all to the native treasury, must have a thorough knowledge of native treasury procedure. Experience has also shown that an introductory series of lectures on the principles of economic theory and the economy of Nigeria is essential since various economic concepts must be grasped before an intelligent study of public finance can be undertaken.

Local government

Unable to devote much time to the strict *theory* of government or to comparative studies, the syllabus concentrates on the local government system, in both retrospect and prospect, of the Northern Region, paying particular attention to the jurisdiction and responsibilities of the Native Authority Law and to the intimate and continuous role of the administrative officer in local government affairs. This task of promoting good government at all levels and of stimulating and supporting the development of responsible local government is often the core of the administrative officer's work today.

Conclusion

The Administrative Service training course is the beginning of an assistant district officer's career, not the end. There is no short cut. As stated by the Special Commissioner who reported to the House of Assembly in 1957, the most intense efforts will have to be made to recruit the cream of the young men and to train them. They must gain region-wide experience, loyalty, integrity, and versatility, through years of field work in different provinces, as well as through experience in provincial and regional secretariats.

Since its inception in 1957, the course by no means stood still. It developed and adjusted its curricula to keep pace with the changing demands of Nigerian administration. More than this, the course spread its wings to cater for the annual intake of direct-entry, graduate administrative officers, giving them a month or six weeks of concentrated instruction on local government procedure, relationship with the native authorities, government regulations and vehicle maintenance. It was soon found that there was a marked need for this orientation course among the direct-entry A.D.O's, and its institution was widely welcomed by administrators in the provinces.

To conclude this background sketch, it is perhaps relevant to quote from a speech made at the passing-out ceremony of Administrative Service training course No. 1 at Zaria. After tracing the origin of the country's Administrative Service to the renowned Indian Civil Service, the Premier went on to talk about the value the North placed on tradition:–

> "It is something which lives on and which we rely on when things become difficult. The heirs of this tradition of service have never worried much about personal gain nor sought a safe and easy life. They have been fired by an ideal and, feeling that they have possessed something which they should pass on to others, they have gladly dedicated themselves to the service of their

fellow-men. You are entering a Service which has always served others and which must continue to do so".

APPENDIX

Major group	*Lectures*	*Tutorials*	*Approx.%*
Law	160	48	16
English	120	64	15
Administrative techniques	175	—	14
Finance and economics	96	64	13
Local government	96	—	9
Current affairs	75	—	6
Minor group			
Works and survey	40	—	3
Driving and vehicle maintenance	25	—	2
Comparative religion	20	—	1.5
Nigerian history	15	—	1
Health	15	—	1
Political theory	10	—	1
Education	10	—	1
Agriculture	10	—	1
Veterinary	5	—	1.5
Forestry	4	—	
Co-operatives	3	—	
Organizational group			
Private study	—	48[6]	4
Visits and miscellaneous	65	32[7]	7
Examinations	48	—	3
TOTAL	992	256	100%

[6] When the ASTC staff was at its full strength of 3 lecturers these tutorial periods were added to the hours quoted under Law, English and Finance. This item then disappeared.

[7] These were distributed among lecturers who required but a few tutorial hours, e.g., local government, comparative religion, political theory, history.

Succession to Registered Land in the African Areas of Kenya

by F. D. Homan

Secretary, Trust Land Board, Kenya

Some of the problems of inheritance in the Kenya land units were discussed in an article published in the *J.A.A.* four years ago[1].

The Working Party on African Land Tenure, 1957-58, in Chapter IX of its report recommended a system which was designed to achieve the aims of land policy in Kenya whilst at the same time being acceptable to the people themselves. The most important of these aims were, and still are:–

(*a*) to prevent re-fragmentation which will inevitably occur if land is divided amongst all the heirs under customary law;

(*b*) to avoid having so many co-proprietors on the register that the land ceases to be a negotiable asset and becomes undeveloped or underdeveloped; and

(*c*) to ensure that all the heirs under customary law are fairly treated even if they do not receive a share of the land.

Registration of transmissions

The recommendations of the Working Party, which were adopted by the Government, were that the number of co-proprietors should not exceed five, heirs should be determined by customary law, subdivision (including subdivision on inheritance) should require the consent of a divisional land control board and that the provincial land control boards, after consultation with divisional boards, could lay down minimum sizes for subdivision according to the different ecological zones.

The procedure for registering a transmission which is governed by Section 79 of the Land Registration (Special Areas) Ordinance, 1959, is briefly as follows:–

(*a*) on receipt of notification of the death of a registered landowner, the assistant land registrar applies to the African court for a certificate of succession:

(*b*) the African court determines the heirs according to customary law having called any witnesses or other evidence it may require, and sends to the assistant land registrar a certificate showing the heirs and their entitlements;

(*c*) if the number of co-owners does not exceed five and no subdivision is involved, the assistant land registrar, after waiting 30 days for an appeal to be lodged against the court's award, registers the transmission;

(*d*) if a subdivision is involved the registrar must refer the matter to the divisional land control board;

(*e*) if the number of co-owners exceeds five, or if the divisional board refuses its consent, the registrar may not register the transmission but must refer it back to the African court for adjustment.

There is nothing wrong with this system in theory, but in practice it does not seem to be working properly. In both the Kiambu and Nyeri Districts over the

[1] Inheritance in the Kenya Native Land Units by F. D. Homan – *J.A.A.*, July 1958.

past three years an average of 26 transmissions have been registered each year. For the Kiambu District this represents only about 0.07% of the landowners; the Nyeri percentage is even lower. The overall death rate in Britain for 1958 was 1.17% and if the death rate for Kiambu is taken at that figure (it is probably higher), 1.1% per annum of all transmissions have not been registered. There are about 75,000 titles in Kiambu (each landowner having, in general, a town plot as well as an agricultural holding). It therefore follows that after about four years of full registration in Kiambu District, over 3,000 titles are still registered in the names of deceased persons.

If this continues it may lead to a very serious situation. It means the register is gradually ceasing to reflect the true state of affairs on the ground and it very probably means also that the heirs are dividing up the land in the old traditional way; in other words there is probably widespread subdivision in fact if not in law. If this continues it will only be a matter of time before the country returns to its original, fragmented state.

In an article in the first issue of this Journal[2] it was mentioned that this might be partly due to the fact that many fathers divided up their land amongst their sons before first registration, so that a lot of landowners are comparatively young, but this cannot possibly account for so many transmissions being unregistered. Indeed a number of cases have come to light in which the owner died before consolidation was completed and the land remains to this day registered in the name of the deceased. Minutes of the proceedings of divisional land control boards also, from time to time, contain applications for consent to the 'transfer' of land from a deceased person to one of his sons. It is probable that many of these are made in good faith and boards, until matters were explained to them, usually gave their consent. But, of course, such 'transactions' cannot be registered.

One obvious reason why transmissions are not being registered is that the deaths of landowners are not being reported. Probably this is largely due to ignorance coupled with the fact that the average farmer is not concerned with registered title until such time as he wants to deal with the land, so that the relative on the spot (who has, perhaps, been working the land for some time before the owner's death) simply carries on for the time being. It must be borne in mind, however, that the policy of 'one owner, one farm' may be discouraging relatives from reporting the death of a landowner. This policy, which has been agreed in principle by the Kikuyu themselves, is entirely sound economically, but is likely to lead to trouble if the heirs who do not get a share of the land are not fairly treated.

The problem has been dealt with in different ways in different districts. In some, the other heirs get nothing at all; this was certainly not the intention of the Working Party and is obviously bound to lead to dissatisfaction and an avoidance of the registry for transmissions if the actual occupiers of the land know that they are not the true heirs. In the Kiambu District the intention was that heirs who did not get the land, or a share of it, would have their interests, calculated as a monetary sum, registered as a charge on the title. In fact this has only been put into effect in one or two cases and on further examination the plan has serious disadvantages:

(*a*) it is cumbrous and rather expensive;

(*b*) it is likely to give rise to questions of priority and other difficulties as

[2] Consolidation, Enclosure and Registration of Title in Kenya by F. D. Homan, *J.L.A.O.*, January 1962.

between the heirs, especially in the event of land having been sold to recover monies which are outstanding under one or more of the charges;

(*c*) the only way in which the owners of charges would be able to enforce payment of monies owing to them would be by suing in the court. It is inconceivable that the average person would either understand what his rights are or be capable of personally enforcing them by the prescribed legal processes. If the money due to him were not paid he would have to choose between foregoing his claim or spending a considerable sum for the services of a lawyer, a sum which might well exceed the value of the charge. The overall result might well be that the majority of the heirs of deceased landowners would in fact inherit little or nothing and would be justifiably dissatisfied with a system imposed on them for the sole purpose of controlling fragmentation;

(*d*) if a man inherits a piece of land burdened with several charges this can hardly fail to impede development. The owner is unlikely to be able to obtain a loan from a bank or other lending agency because the charges registered at the time of transmission, which might well represent a large proportion of the value of the land, would have priority over any subsequent charge registered by a lender. If the owner makes a genuine attempt to pay back the sum secured by charges it would probably account for any profit he makes from his farm and he would have nothing to put into it himself.

Although the Central Province African district councils have made by-laws compelling the notification and registration of births and deaths, with penalties for non-compliance, these laws are intended chiefly for the benefit of the people themselves who, if they register a birth or death can obtain a certificate to that effect. It was considered that any attempt to ensure the registration of transmissions by rigid enforcement of these by-laws might have the reverse effect in that it would make the whole system unpopular and that it would therefore be much better to tackle the problem administratively.

The new procedure

Accordingly, in September 1961 a new system was brought into operation. Chiefs and headmen have been instructed to report the death of all registered landowners to the assistant registrar. On receipt of such a report the assistant registrar fills in a 'pro forma' applying to the African court for a certificate of succession, at the same time informing the court of the average value of land in the area, any outstanding charges on the title and the minimum size of holding which may be created by subdivision. The court, in considering the case, takes into account only the immovable property belonging to the deceased at the time of his death. After determining the heirs under customary law and the share of each as a proportion of the whole, the court then decides which heir or heirs will be registered as the owner of the land, and the shares of the other heirs, who do not get the land, are assessed as sums of money based on the information supplied by the assistant registrar. The court's decision is contained in the certificate of succession for which a 'pro forma' is also supplied on the reverse of the application form. If there are heirs who do not get land the certificate contains an order of the court that the heir who does get land will pay to each of the others the sum due to him within a period (usually two years) stipulated by the court. A copy of the 'pro forma' is featured as an appendix.

When the completed certificate is received back by the assistant registrar, it is filed in the registry and, if it contains an order for the payment of money, the assistant registrar automatically puts a restriction on the title for the period

stipulated for payment – but with a proviso that it can be removed at any time with the agreement of the other parties, or if the proprietor can satisfy the registrar that he has fulfilled his obligations. If at the end of the period a debt has not been paid, the creditor may obtain a copy of the certificate of succession from the registry and, armed with this, apply to the court to enforce its own order, which it can do, if necessary by attaching and selling the land.

It is hoped that such a system will prove acceptable to the public since it ensures registration of all the heirs whilst at the same time it avoids the title being encumbered by a number of charges, and offers an easy remedy through the African courts for an heir who does not get paid. It is also hoped that it will not hinder development, because the persons concerned would probably agree to the land being charged as security for a loan—their chances of being paid back eventually will be enhanced if the land is fully developed.

It is too early to say whether the new system will succeed. Since its inception in mid-September 1961 up to the end of June 1962, 260 deaths have been reported in the Kiambu District and applications made in all cases for certificates of succession. However, only 16 certificates have been issued during the same period, which is a low figure even taking into account the time required to hear cases. Investigation of this brought to light another difficulty, namely that the heirs did not voluntarily come forward to pursue the matter in court, probably for the same reasons as they do not, themselves, report deaths. The procedure has therefore been modified so that chiefs and headmen, when reporting deaths, also give the names of all near relatives. These names are sent on to the court by the assistant registrar. Courts have been instructed that they must not wait for heirs to appear but must set a date for hearing, issue summons to all heirs and other relatives, and generally proceed with each case as speedily as possible. The court fee, which is fixed at Sh. 25/-, is payable at the end of the proceedings by the heirs who get the land.

This system, of course, imposes on chiefs, headmen, assistant land registrars and African courts duties and responsibilities which they would not normally be called upon to accept; but it was felt that unless drastic action was taken the whole registration system might be in jeopardy. It is hoped that when the procedure is generally understood and people realize that the rights of all are being recognized, it may be possible to revert to a system of voluntary notification by the heirs themselves.

Will-making provisions

In conclusion mention should be made of testamentary capacity. When the 1958 article was written there was a tendency to think that the long term solution to the problem of inheritance depended upon giving Africans the power to make wills. The Working Party on African Land Tenure, in paragraph 76 of its Reports, urged the speedy enactment of legislation to effect this. In December 1961, as an interim measure pending the introduction of a comprehensive law of succession covering all races and creeds, the African Wills Ordinance was enacted. This has the effect of applying to Africans the will-making provisions of the Indian Succession Act of 1865 and places them in the same position as members of other races – provided they have individual property to will, such as registered land. This law was enacted as a result of frequent complaints in Legislative Council and elsewhere that Africans were under a disability in this respect; yet it is interesting to note that, so far as is known, only one African, a woman, has made use of the new powers.

APPENDIX

Application for Certificate of Succession

To: The President,

..... District African Court.

A. (1) (Name) .....

(2) (Location) .....

(3) (Sub-Location .....

is reported to have died on ..... at .....

B. The deceased is registered as proprietor of the following pieces of land:

Parcel No. ..... Acres ..... (approximately)

Parcel No. ..... Acres ..... (approximately)

Parcel No. ..... Acres ..... (approximately)

Parcel No. ..... Acres ..... (approximately)

C. The land is subject to the following charge(s):–

Parcel No. ..... Amount outstanding: Shs: .....

Parcel No. ..... Amount outstanding: Shs: .....

Parcel No. ..... Amount outstanding: Shs: .....

Parcel No. ..... Amount outstanding: Shs: .....

D. Land in this area may NOT be subdivided into pieces of less than ..... acres each.

E. According to recent sales, the present estimated value of land in this area is:–

(i) Agricultural Land: Shs: ..... per acre

(ii) Town Plots: Shs: ..... per acre

.....

Assistant Land Registrar
(Special Areas)

..... District.

Date..... 19 .....

[over]

Date received for Registration: 19	Presentation Book No.....19.....	Registration Fees: Shs:...Receipt No. .....

To:—THE ASSISTANT LAND REGISTRAR (SPECIAL AREAS).....

CERTIFICATE OF SUCCESSION

F. This Court, being satisfied that the landowner named on the reverse died on or about..... 19....., hereby makes the following ORDER:

G. HEIR(S) TO RECEIVE LAND:

	Name:	*Parcel No:*	*Share:*
(1)	.....	.....	.....
(2)			
(3)			
(4)			
(5)			

H. PAYMENTS TO OTHER HEIRS:

(1) ..... to be paid Shs:..... by .....
(2)
(3)
(4)
(5)

The above payments to be made within..... months of the date of this Order.

I. EXPLANATORY NOTES (APPOINTMENT OF GUARDIANS, ETC.)

.....
President,

..... African Court.

Date..... 196.....

Succession Case No..... of 196..... Receipt No. ..... of ..... 196.....

REGISTERED this ..... day of ..... 196.....

.....
Assistant Land Registrar.

Important. THIS CERTIFICATE MUST NOT BE REGISTERED UNTIL 30 DAYS AFTER THE DATE OF PRESENTATION.

Book Review

POLITICAL PARTIES IN UGANDA, 1949-62; by D. A. Low. *University of London, Athlone Press, for the Institute of Commonwealth Studies;* pp. 58; 10s. 6d.

THIS is a chronicle of the activities of political parties in Uganda. Mr. Low ranges over most of the recorded history of Buganda, but his theme concerns those parties which he considers to deserve the name in a modern sense. In his judgment the first of these was the Uganda National Congress, founded in 1952. His definition of a 'new style' party consists of a list of examples. Why, he asks, did it take so long for parties to appear which were something like the major parties in Britain and the United States, the Socialist and Christian Democratic Parties in Western Europe, Congress in India, the C.P.P. in Ghana? One may ask, are these all alike? Are we not entitled to be given some reason for the selection? Mr. Low evades the question by telling us that these were the models which the founders of the U.N.C. and its successors thought they were following. Since he builds his story round a question which entails comparison with other African political parties, he might have done better to consider those features – type of organization, type of membership, type of leader, methods, constitutional or subversive – that most other writers on politics have found useful.

His theme is really the contrast between the multiplicity of ephemeral parties in Uganda and the early appearance elsewhere of a single organization with no significant competitors. The main reason for this, as he sees it, is that the people of Uganda did not become interested in independence until a time when it was clear that they would not have to struggle for it. Hence Uganada has never experienced the unifying force of an external opponent. Buganda, on the other hand, has been experiencing this for a century against one external threat after another, and for most Ganda the preservation of the widest possible autonomy is the major political issue as Uganda moves towards independence. (Bunyoro, it seems, is not entitled to nationalist feelings since she has failed to assert them successfully against Buganda, and the Nyoro territory annexed to Buganda is described as 'lost' in quotes).

In the very last sentence of his essay, Mr. Low admits that the problem of 'micro-nationalism' in new states is not confined to Uganda. In fact, it might be truer to find the special feature of Uganda in the alignments cutting across ethnic ones, which he also describes: the rivalry for office of adherents of the Protestant and Catholic churches and the hostility of some Ganda commoners to their own ruling class which gives them a common interest with non-Ganda. Most peculiar of all is the present coalition of expediency between Kabaka Yekka and the U.P.C.

Mr. Low's narrative, though the arrangement sometimes makes it difficult to follow, brings together a series of facts of recent history that it is useful to have under the hand. It leaves us asking some questions, however, notably about the sources of the opinions that he ascribes to the general public in Buganda. Once only he refers to the vernacular press as a source. What actual statements, if any, are represented by the assertion that the Ganda are opposed to all *élites?* We want to know what the Ganda say, not what Mr. Low thinks they

would say if they had his sophisticated vocabulary. In 1949 they demanded that chiefs be elected – a demand for representative government. They now have representative government as Uganda voters and a representative majority as Buganda voters. But they still have chiefs because, as Mr. Low omits to tell us, chiefs are executive agents of government. Clearly the rioters of 1949 did not realize that they were up against the problem of the doubling of executive and legislative powers. Have they in fact any ideas about who should form the bureaucracy, or how it could help being an *élite* in a country with Ganda standards of education?

Mr. Low's terminology is unhappily esoteric. His division of the history of Buganda into five phases and his characterization of political action as 'fourth phase' and 'fifth phase' make comparison with other situations impossible; and it is merely confusing to call conservatives 'traditionalists', even if one does not make confusion worse by saying 'neo-traditionalist'.

LUCY MAIR.

OTHER BOOKS RECEIVED

THE EDUCATED AFRICAN, compiled by Ruth Sloan Associates; by Helen Kitchen; *Frederick A. Praeger, New York;* 1962; pp. xvii + 542; tables, maps and illustrations; $12.50.

This is a country-by-country survey of educational development in Africa compiled by a galaxy of experts. It has something to say about training for administration and development, though this aspect of education is not treated exhaustively. The volume is well produced, as one would expect for the price.

THE CONSTITUTIONAL LAW OF GHANA, by F. A. R. Bennion. *Butterworth, London,* 1962; pp. xxxvi + 527; 70s.

An exposition by an author who took an active part in the preparation of the new legislation when Ghana became a Republic.

THE PRINCIPLES OF LOCAL GOVERNMENT LAW, by C. A. Cross. *Sweet and Maxwell,* 2nd edition, 1962; pp. 492 + xlii; 52s. 6d.

A practical text-book for students and local government officers, revised to take account of changes in the local government law since the first edition in 1959.

THE NATURAL RESOURCES OF EAST AFRICA, edited by E. W. Russell. *D. A. Hawkins in association with East African Literature Bureau, Nairobi,* 1962; pp. 144 + 7 maps; 21s.

A handbook to the natural resources of the region.

THE ECOLOGY OF THE GWEMBE TONGA, by Thayer Scudder; *Manchester University Press,* 1962; pp. xiii + 274; 37s. 6d.

A record of the customs of the Gwembe or Valley Tonga which had retained more fully than any tribe in Northern or Southern Rhodesia a pre-European way of life, before it was resettled as a result of the construction of the Kariba dam.

BIBLIOGRAPHIE DE L'URBANISATION DE L'AFRIQUE NOIRE, by P. Verhaegen; *Centre de Documentation Economique et Sociale Africaine, Brussels,* 1962; pp. x + 387; F. B. 300.

A useful bibliography concerned with the economic, social and cultural causes and consequences of urbanization in Africa.

AN INTRODUCTION TO INDUSTRIAL RELATIONS IN NIGERIA, by T. M. Yesufu. *Oxford University Press,* 1962; pp. ix + 190; 25s.

A description of the history and background of Nigerian industrial relations and the changes which arise in a new and growing industrial society.

PAN-AFRICANISM RECONSIDERED, edited by the American Society of African Culture. *California University Press through Cambridge University Press,* 1962; pp. xix + 377; 58s.

Forty contributors examine the major themes of Pan-Africanism.

AN INTRODUCTION TO THE HISTORY OF WEST AFRICA, by J. D. Fage. *Cambridge University Press,* 1962; pps. xiv + 233; 8s. 6d.; $1.45.

A new edition bringing the original book, written in 1953, up-to-date.

OUT IN THE MID-DAY SUN, by Boris Gusman. *George Allen and Unwin, London*, 1962; pp. xii + 179; 21s.

An account of the difficulty the European settler has in adjusting himself fully to a different environment.

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Colonial Research Publications

No. 13. Land Registration, by Sir Ernest Dowson, K.B.E., and V.L.O. Sheppard, C.B.E., (1956).
25*s*. (26*s*. 1*d*.)

No. 22. Colonial Agricultural Statistics, by K. E. Hunt, (1957).
14*s*. (14*s*. 7*d*.)

No. 24. Land in British Honduras: Report of the British Honduras Land Use Survey Team. By A. L. S. Wright, D. H. Romney, R. H. Arbuckle, V. E. Vial, (1960).
55*s*. (57*s*. 3*d*.)

No. 25. Study of the Thomson's Gazelle (Gazella thomsonii Gunther) in Tanganyika, by A. C. Brooks, (1961).
13*s*. 6*d*. (14*s*. 2*d*.)

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